

**OFFICIAL JOURNAL**  
OF THE  
**HOUSE OF**  
**REPRESENTATIVES**  
OF THE  
**STATE OF LOUISIANA**

**FOURTEENTH DAY'S PROCEEDINGS**

**Thirty-third Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, November 22, 2005

The House of Representatives was called to order at 9:00 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Barrow	Hammett	Ritchie
Baudoin	Harris	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Erdey	McDonald	

Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	
Total - 103		
	<b>ABSENT</b>	

Burns	Durand
Total - 2	

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Dr. Ken Ward.

**Pledge of Allegiance**

Rep. Morrish led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Dove, the reading of the Journal was dispensed with.

On motion of Rep. Jackson, the Journal of November 21, 2005, was adopted.

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 43—**

BY SENATOR HEITMEIER  
A CONCURRENT RESOLUTION

To urge and request state agencies to cooperate to develop an easily accessible web site on which to post information about disaster related contracts.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATORS BAJOIE, JONES, CRAVINS, MURRAY, FIELDS, DUPLESSIS, SHEPHERD, QUINN, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend Lieutenant General Russel Honore for his outstanding leadership and incredible efforts in response to hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was concurred in.

**Senate Bills and Joint Resolutions on Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 95—**

BY SENATORS BOASSO, ADLEY, AMEDEE, BARHAM, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HOLLIS, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SMITH AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, K. CARTER, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

**AN ACT**

To amend and reenact R.S. 38:291 (D)(2) and (3), (G)(2), and 304(A) and (B), to enact R.S. 38:291(G)(3) and (V), and 306.1 through 306.8, and to repeal R.S. 38:304.3, relative to levees; to establish the Southeast Louisiana Levee Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for the management of certain levee districts in areas of southeast Louisiana; to terminate the terms of commissioners on certain levee boards; to reorganize the governance of such levee districts by providing for representation of such district on the board of commissioners to the authority; to retain the territorial limits of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for qualifications of an executive director; to create a levee district for St. Tammany Parish and provide for the authority, powers, duties, functions, and responsibilities of the district to be exercised by the authority; to provide for funding; to provide for applicability; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Quezaire, the bill was returned to the calendar.

**SENATE BILL NO. 102—**

BY SENATOR FIELDS AND REPRESENTATIVE BAYLOR  
**AN ACT**

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act 864 of the 2003 Regular Session of the Legislature and R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hammett, the bill was returned to the calendar.

**SENATE BILL NO. 105—**

BY SENATOR HINES

**AN ACT**

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Alario, the bill was returned to the calendar.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**HOUSE RESOLUTION NO. 15—**

BY REPRESENTATIVE HEBERT

**A RESOLUTION**

To urge and request the House Committee on Commerce to conduct a study of the awarding of Federal Emergency Management Agency contracts to out-of-state companies.

Read by title.

On motion of Rep. Hebert, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVE RICHMOND

**A CONCURRENT RESOLUTION**

To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for apartment complexes affected by Hurricanes Katrina and Rita that can have fifty units completed within sixty to ninety days and that will house eighty percent of displaced Louisianians with at least three months of free rent.

Read by title.

**Motion**

On motion of Rep. Richmond, the resolution was returned to the calendar.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**APPOINTMENT OF CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 5: Senators McPherson, Cheek, and Fields.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 9: Senators Hines, Duplessis, and Cain.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 40: Senators Mount, Kostelka, and Ellington.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 41: Senators Mount, Adley, and Nevers.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 42: Senators Mount, Shepherd, and Murray.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 156: Senators Hines, Heitmeier, and Bajoie.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

#### Suspension of the Rules

On motion of Rep. Richmond, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

#### SENATE CONCURRENT RESOLUTION NO. 18— BY SENATOR SHEPHERD

##### A CONCURRENT RESOLUTION

To direct the secretary of state to establish a toll-free telephone line and advertise nationally for displaced Louisiana citizens to receive information related to the election process, including but not limited to, locating their voting place.

Read by title.

On motion of Rep. Richmond, the resolution was concurred in.

#### Suspension of the Rules

On motion of Rep. Richmond, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR MURRAY

**A CONCURRENT RESOLUTION**

To the Senate Committee on Judiciary C and the House Committee on the Administration of Criminal Justice to meet and function as a joint committee to study the practicality and feasibility of setting aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency.

Read by title.

On motion of Rep. Richmond, the resolution was concurred in.

**Suspension of the Rules**

On motion of Rep. Ritchie, and under a suspension of the rules, the following resolution was taken up out of its regular order at this time.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR NEVERS AND REPRESENTATIVE HUNTER

**A CONCURRENT RESOLUTION**

To request the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations to meet and to function as a joint committee to study advanced manufacturing/integrated systems technology training and other training opportunities in Louisiana.

Read by title.

On motion of Rep. Ritchie, the resolution was concurred in.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 56  
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Quezairé, the rules were suspended in order to advance House Concurrent Resolution No. 56 to House Concurrent Resolutions Returned from the Senate With Amendments at this time.

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 62  
Returned without amendments

House Concurrent Resolution No. 72  
Returned without amendments

House Concurrent Resolution No. 73  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 45

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Odinet, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 45—**

BY SENATORS MURRAY, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DÉWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY,

KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend Dr. Eric Baumgardner and the Senate and House staffs for their outstanding efforts in establishing and manning the Legislative Resource Center and related activities in the aftermath of hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Odinet, and under a suspension of the rules, the resolution was concurred in.

**Recess**

On motion of Rep. Alario, the Speaker declared the House at recess until 11:00 A.M.

**After Recess**

Speaker Salter called the House to order at 11:30 A.M.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	

Total - 103

**ABSENT**

Burns  
Total - 2  
Durand

The Speaker announced there were 103 members present and a quorum.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Education**

November 22, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 21, 2005, I am directed by your Committee on Education to submit the following report:

Senate Bill No. 70, by Ullo  
Reported with amendments. (9-4) (Regular)

CARL CRANE  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Privileged Report of the Legislative Bureau**

November 22, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 70  
Reported without amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

**Senate Instruments on Second Reading Returned from the Legislative Bureau**

Rep. Crane asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

**SENATE BILL NO. 70—**  
BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 17:3983(A)(4), relative to charter schools; to eliminate certain provisions which establish a maximum number of charter schools that can be created or approved; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 70 by Senator Ullo

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S." delete the remainder of the line and delete line 3 in its entirety and at the beginning of line 4 delete "or approved;" and insert in lieu thereof the following:

"17:3983(A)(4) and (F)(1), relative to charter schools; to remove certain limitations on the number of charter proposals that may be considered or entered into by chartering authorities; to remove provisions requiring certain administrative actions related to such limitations; to provide applicability; to provide an effective date;"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." and before "hereby" change "R.S. 17:3983(A)(4) is" to "R.S. 17:3983(A)(4) and (F)(1) are"

AMENDMENT NO. 3

On page 1 delete lines 9 and 10 and insert in lieu thereof the following:

"A. \* \* \*

AMENDMENT NO. 4

On page 2, after line 26, insert the following:

"F. As it relates to Type 5 charters:

(1) The limitations specified in ~~R.S. 17:3991(B)(1) and (3) and the provisions of (A)(3)(a), (4)(a), (c), and (f), and (C) and (D) of this Section Subparagraphs (A)(3)(a) and (4)(b) and (e) and Subsections C and D of this Section and in R.S. 17:3991(B)(1) and (3)~~ shall not apply to ~~or limit or restrict the number of~~ such charters.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Richmond, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 16—

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To enact R.S. 22:658(E), relative to settlement monies on claims arising under homeowners insurance policies; to require

placement of monies into interesting-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

Read by title.

Rep. Johns sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Engrossed Senate Bill No. 16 by Senator Schedler

AMENDMENT NO. 1

In Amendment No. 10 proposed by the House Committee on Insurance and adopted by the House on November 21, 2005, on page 1, line 25, after "property" and before "where" insert "as a result of Hurricane Katrina or Hurricane Rita, and"

On motion of Rep. Johns, the amendments were adopted.

Rep. Bowler sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 16 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, change "22:658(E)" to "10:9-211"

AMENDMENT NO. 2

On page 1, line 6, change "22:658(E)" to "10:9-211"

AMENDMENT NO. 3

On page 1, delete lines 7 through 10 and insert the following:

"§9-211. Duty of secured party upon payment of insurance claim for damage to mortgaged property"

AMENDMENT NO. 4

On page 1, line 11, change "E.(1)" to "(a)"

AMENDMENT NO. 5

On page 2, line 3, change "(2)" to "(b)"

On motion of Rep. Bowler, the amendments were adopted.

Rep. Johns sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Engrossed Senate Bill No. 16 by Senator Schedler

AMENDMENT NO. 1

On page 2, at the end of line 6, add the following:

"The person holding the security interest in the property shall cooperate fully with the claimant and the claimant's insurer in releasing funds in a timely manner to replace or repair the damaged property."

On motion of Rep. Johns, the amendments were adopted.

Rep. Johns moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Harris	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burrell	Hutter	Smith, J.D.-50th
Carter, K.	Jackson	Smith, J.H.-8th
Carter, R.	Jefferson	Smith, J.R.-30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Odinet	
Total - 100		

**NAYS**

Morrish  
Total - 1

**ABSENT**

Burns	Hammett
Durand	Hunter
Total - 4	

The Chair declared the above bill was finally passed.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 48—**  
BY SENATOR MURRAY

**AN ACT**

To enact R.S. 22:696, relative to insurance coverage for property damage due to flooding; to require that itemized coverage limits be disclosed to the insured; and to provide for related matters.

Read by title.

Rep. Richmond sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 48 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "696" and before ", relative" insert "and 1471.1"

AMENDMENT NO. 2

On page 1, line 6, after "696" and before "hereby" delete "is" and insert in lieu thereof "and 1471.1 are"

AMENDMENT NO. 3

On page 2, between lines 7 and 8 insert the following:

\* \* \*

§1471.1. Homeowner's insurance; claims payments and settlements

No payment of a claim on a homeowner's insurance policy shall be considered a final settlement if the insurer fails to provide the insured with a statement that accurately reflects the amount paid under each category of coverage under the policy. The statement shall list each provision of coverage in the policy under which the insured may be entitled to payment, the maximum amount that may be paid under each category of coverage, and the amount actually included for payment under each category of coverage. The statement shall be given to the insured prior to the execution of a release by the insured.

**Point of Order**

Rep. Bowler asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Richmond moved the adoption of the amendments.

Rep. Downs objected.

By a vote of 67 yeas and 32 nays, the amendments were adopted.

Rep. Karen Carter moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pierre
Alario	Gray	Pinac
Ansardi	Greene	Pitre
Arnold	Guillory, E.	Powell, M.
Badon	Guillory, M.	Powell, T.
Baldone	Hammett	Quezaire
Barrow	Harris	Richmond
Baudoin	Heaton	Ritchie
Baylor	Hill	Robideaux
Bruce	Honey	Romero
Bruneau	Hopkins	Scalise
Burrell	Hunter	Schneider
Carter, K.	Hutter	Smiley
Carter, R.	Jackson	Smith, G.

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Cazayoux	Jefferson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Cravins	Kennard	Smith, J.R.—30th
Crowe	Kenney	St. Germain
Curtis	Kleckley	Strain
Damico	LaBruzzo	Thompson
Daniel	LaFleur	Toomy
DeWitt	LaFonta	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Triche
Dove	Marchand	Tucker
Downs	Martiny	Waddell
Fannin	McDonald	Walker
Farrar	McVea	Walsworth
Fauchoux	Montgomery	White
Frith	Morrell	Wooton
Gallot	Morrish	Wright
Geymann	Odinet	
Total - 95		

NAYS

Alexander	Bowler	Winston
Beard	Erdey	
Total - 5		

ABSENT

Burns	Durand	Katz
Dartez	Hebert	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 55—**  
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

Read by title.

Rep. Bowler sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 55 by Senator Adley

AMENDMENT NO. 1

On page 1, line 9 after "residential" and before "property" insert "or commercial"

AMENDMENT NO. 2

On page 1, after end of line 16 add the following:

"The disclosure shall also state that flood insurance is available through the National Flood Insurance Program and that excess flood insurance may be available by separate policy."

Rep. Bowler moved the adoption of the amendments.

Rep. Karen Carter objected.

By a vote of 71 yeas and 28 nays, the amendments were adopted.

Rep. Montgomery moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Fauchoux	Morrell	
Frith	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Burns	Farrar	Townsend
Durand	Hill	
Total - 5		

The Chair declared the above bill was finally passed.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 107—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2109(B)(7) and to enact R.S. 40:2007.1 and 2116(J), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; and to provide for related matters.

Read by title.

Rep. Frith sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Frith to Reengrossed Senate Bill No. 107 by Senator McPherson

AMENDMENT NO. 1

Delete Amendments No. 1 and 2 proposed by the Health and Welfare Committee on November 21, 2005 and adopted by the House of Representatives on November 21, 2005.

AMENDMENT NO. 2

On page 2, delete line 7 in its entirety

AMENDMENT NO. 3

On page 2, line 8, change "(f)" to "(e)"

AMENDMENT NO. 4

On page 2, line 9, change "(g)" to "(f)"

AMENDMENT NO. 5

On page 2, line 10, change "(h)" to "(g)"

AMENDMENT NO. 6

On page 2, line 11, change "(i)" to "(h)"

AMENDMENT NO. 7

On page 2, line 12, change "(j)" to "(i)"

AMENDMENT NO. 8

On page 2, line 13, change "(k)" to "(j)"

AMENDMENT NO. 9

On page 2, line 14, change "(l)" to "(k)"

AMENDMENT NO. 10

On page 5, delete lines 17 through 20 in their entirety and insert the following:

"(2) Nothing in this Subsection shall be construed to accomplish either of the following:

(a) To permit a nursing home which has relocated, as the result of an executive order or declaration of emergency or disaster issued in accordance with R.S. 29:724, to relocate such facility outside of the geographic area for which the original facility need review approval was granted.

(b) To permit a nursing home which has relocated, as the result of an executive order or declaration of emergency or disaster issued in accordance with R.S. 29:724, to obviate the provisions of R.S. 40:2116(D)(2).

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Frith, the amendments were adopted.

Rep. Frith sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Frith to Reengrossed Senate Bill No. 107 by Senator McPherson

AMENDMENT NO. 1

On page 4, line 7, after "Subsection" and before the period "." insert the following:

"provided that nothing herein shall relieve the facility from complying with federal regulations and requirements for approval from the Centers for Medicare and Medicaid Services"

On motion of Rep. Frith, the amendments were adopted.

Rep. Frith moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.-50th
Cazayoux	Jackson	Smith, J.H.-8th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total - 97		

NAYS

Total - 0

ABSENT

Baldone	Hutter	Smith, J.R.-30th
Burns	LaFleur	Tucker
Durand	Martiny	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 68—**  
BY SENATORS CHAISSON AND AMEDEE  
AN ACT

To enact R.S. 29:732.1, relative to the crime of conducting business without required licenses and permits; to provide for exceptions; to provide for penalties; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

On motion of Rep. Martiny, the bill was returned to the calendar.

**Suspension of the Rules**

Rep. Crane moved for a suspension of the rules in order to take up and consider Senate Bill No. 70 on the same day it was reported by committee.

Rep. Richmond objected.

By a vote of 58 yeas and 40 nays, the motion not having received a two-thirds vote of the members present and voting, the House refused to suspend the rules.

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**HOUSE BILL NO. 156—**  
BY REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, AND  
SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT  
AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 156 by Representative Alario**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 156 by Representative Alario, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendment Nos. 1 through 4, 6 through 8, 10, 11, and 13 through 23 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, be adopted.

- 2. That Senate Committee Amendment Nos. 5, 9, 12, and 24 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, be rejected.
- 3. That Senate Floor Amendment Nos. 1, 2, 3, and 5 in the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be adopted.
- 4. That Senate Floor Amendment No. 4 in the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be rejected.
- 5. That the Senate Floor Amendment (SFAHB156 BROUSSAT 872) proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be adopted.
- 6. That the Senate Floor Amendment proposed by Senator Adley and adopted by the Senate on November 20, 2005, be adopted.
- 7. That the Senate Floor Amendment proposed by Senator Hollis and adopted by the Senate on November 20, 2005, be rejected.
- 8. That the set of Senate Floor Amendments proposed by Senator Shepherd and adopted by the Senate on November 20, 2005, be rejected.
- 9. That the Senate Floor Amendment (SFAHB156 OGLESBEJ 832) proposed by Senator Dardenne and adopted by the Senate on November 20, 2005, be rejected.
- 10. That the Senate Floor Amendment (SFAHB156 PRATHERT 833) proposed by Senator Dardenne and adopted by the Senate on November 20, 2005, be rejected.
- 11. That the Senate Floor Amendment proposed by Senator Marionneaux and adopted by the Senate on November 20, 2005, be rejected.
- 12. That the Senate Floor Amendment proposed by Senator Fontenot and adopted by the Senate on November 20, 2005, be rejected.
- 13. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 22, after "however, that" and before "the table" insert "effective on February 27, 2006,"

AMENDMENT NO. 2

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 23, change "seven (7)" to "four (4)"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 24, change "seven (7)" to "four (4)"

AMENDMENT NO. 4

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on

Finance and adopted by the Senate on November 19, 2005, on page 2, line 45, after "as the" and before "technical" insert "establishment of the"

AMENDMENT NO. 5

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 1, after "System" and before "Act" delete "established by" and insert "pursuant to"

AMENDMENT NO. 6

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, at the end of line 2, change "submit" to "report on" and at the beginning of line 3, delete "proposed"

AMENDMENT NO. 7

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 4, change "February 15" to "March 1"

AMENDMENT NO. 8

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 8, after "2006" and the period "." delete the remainder of the line and delete lines 9 through 15 in their entirety.

AMENDMENT NO. 9

On page 3, at the end of line 3, change "\$40,000,000" to "\$36,570,000"

AMENDMENT NO. 10

On page 4, at the end of line 14, change "\$6,798,660" to "\$6,858,222"

AMENDMENT NO. 11

On page 4, at the end of line 26, change "\$4,063,716" to "\$4,134,788"

AMENDMENT NO. 12

On page 5, delete lines 6 through 9 in their entirety.

AMENDMENT NO. 13

On page 5, at the end of line 11, change "\$200,000" to "\$190,000"

AMENDMENT NO. 14

On page 5, line 12, after "The" and before "line item" delete "balances for" and insert the following:

"commissioner of administration is authorized and directed to reduce the balances of the State General Fund (Direct)"

AMENDMENT NO. 15

On page 5, line 13, after "for the" and before "state" insert "following agencies of the"

AMENDMENT NO. 16

On page 5, delete lines 16 through 18, and insert the following:

"outstanding unsettled claims in the following amounts, provided that the commissioner is authorized to satisfy such unsettled claims from such amounts, and the amount of the balances as provided in this Section may be reduced as is necessary to accomplish such settlements:"

AMENDMENT NO. 17

On page 10, between lines 9 and 10, insert the following:

"Section 14. In Schedule 19 of Act 16 of the 2005 Regular Session of the Legislature with respect to the appropriation for 19-649 LOUISIANA COMMUNITY AND TECHNICAL COLLEGES BOARD OF SUPERVISORS, on page 197, line 30, after "schools and" delete the remainder of the line and insert "may be expended"."

AMENDMENT NO. 18

On page 10, line 10, change "Section 12. This" to "Section 15. The provisions of Sections 1 through 12, 14, and 15 of this"

AMENDMENT NO. 19

On page 10, line 13, after "legislature" and the comma "," and before "this Act" insert "Sections 1 through 12, 14, and 15 of"

AMENDMENT NO. 20

On page 10, at the end of line 14, insert the following:

"The provisions of Section 13 of this Act shall become effective on January 1, 2006. If vetoed by the governor and subsequently approved by the legislature, Section 13 of this Act shall become effective on January 1, 2006."

Respectfully submitted,

Representative John A. Alario, Jr.  
Representative Joe R. Salter  
Representative Willie Hunter, Jr.  
Senator Francis Heitmeier  
Senator Donald E. Hines  
Senator Diana Bajoie

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hill	Robideaux
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.--50th
Crane	Jefferson	Smith, J.H.--8th
Cravins	Johns	Smith, J.R.--30th

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Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Fauchoux	Montgomery	
Total - 98		

NAYS

Hebert	Romero	Triche
Total - 3		

ABSENT

Burns	Durand
Carter, K.	Wright
Total - 4	

The Conference Committee Report was adopted.

## Recess

On motion of Rep. Dorsey, the Speaker declared the House at recess until 2:00 P.M.

## After Recess

Speaker Salter called the House to order at until 2:15 P.M

## ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell

Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Fauchoux	Morrell	
Frith	Morrish	

Total - 103

ABSENT

Burns	Durand
Total - 2	

The Speaker announced there were 103 members present and a quorum.

## Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

## Message from the Senate

### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 46

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

## Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

## Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

### SENATE CONCURRENT RESOLUTION NO. 46— BY SENATOR MICHOT

A CONCURRENT RESOLUTION  
To memorialize the Congress of the United States to pass the Family Education Reimbursement Act (H.R. 4097).

Read by title.

On motion of Rep. Robideaux, and under a suspension of the rules, the resolution was concurred in.

## Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 21—**

BY REPRESENTATIVE MARCHAND

**A RESOLUTION**

To commend Louisiana's nonprofit organizations and their dedicated employees for their outstanding response to Hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Marchand, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 22—**

BY REPRESENTATIVE MONTGOMERY

**A RESOLUTION**

To commend Terry Bradshaw for showing support for his home state of Louisiana by publicly expressing interest in putting together a group of investors to purchase the New Orleans Saints in the effort to keep the team in New Orleans.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 23—**

BY REPRESENTATIVE SALTER

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Mr. Woodrow Burrell of Oak Grove and to recognize his singular contributions and achievements.

Read by title.

On motion of Rep. Hill, and under a suspension of the rules, the resolution was adopted.

**House Bills and Joint Resolutions on Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**Motion**

On motion of Rep. Gallot, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 32.

**HOUSE BILL NO. 32—**

BY REPRESENTATIVES GALLOT AND ANSARDI AND SENATOR LENTINI

**AN ACT**

To enact R.S. 9:2561, relative to the performance of contracts; to provide for the suspension of performance of contracts due to impracticability; to provide for a definition of impracticability of performance; to provide relative to default by the obligor; to provide relative to partial performance; to provide that Hurricanes Katrina and Rita are fortuitous events; to provide relative to obligations for the payment of money; to provide for applicability to contracts effected by Hurricanes Katrina or Rita; to provide for retroactivity; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Gallot, the bill was withdrawn from the files of the House.

**Suspension of the Rules**

On motion of Rep. Toomy, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

**House Bills and Joint Resolutions Returned from the Senate with Amendments**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages and the register of conveyances for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 4 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "mortgages" delete the remainder of the line and insert ", register of conveyances and office of notarial archives for the parish of Orleans; to"

AMENDMENT NO. 2

On page 1, line 9, after "conveyances" and before "for" insert "and office of notarial archives"

AMENDMENT NO. 3

On page 1, line 14, after "mortgages" delete the remainder of the line and insert ", register of conveyances and office of notarial archives for the"

Rep. Toomy moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Harris	Robideaux
Beard	Heaton	Romero
Bruce	Hebert	Scalise

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Bruneau	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Fauchoux	Montgomery	Wright
Frith	Morrish	

Total - 98

NAYS

Total - 0

ABSENT

Barrow	Durand	Pierre
Bowler	Lancaster	
Burns	Morrell	
Total - 7		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 11—**

BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, FRITH, GEYMAN, GREENE, HUTTER, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 32:706.1 and to enact R.S. 32:702(14) and (15) and 707.3, relative to vehicles sustaining water damage from a declared disaster; to provide for definitions; to provide for disclosure before transfer; to provide for certificates of destruction; to provide for restrictions on transfer and registration; to provide for dismantling or crushing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

On page 1, one line 15 between "vehicle" and the comma ", " insert "or a vehicle in excess of twenty thousand pounds gross vehicle weight (GVW)"

AMENDMENT NO. 2

On page 2, line 5, after "Section." insert the following:

"The certificate of destruction shall be reassignable a maximum of two times prior to dismantling or destruction of the vehicle."

AMENDMENT NO. 3

On page 3, delete lines 3 through 9 in their entirety.

AMENDMENT NO. 4

On page 3, at the beginning of line 10 change "B." to "A."

AMENDMENT NO. 5

On page 3, line 13 after "certificate of title" delete the remainder of the line and at the beginning of line 14 delete "registration"

AMENDMENT NO. 6

On page 3, at the end of line 15, insert the following:

"This period may be extended by rule or regulation promulgated by the Department of Public Safety and Corrections."

AMENDMENT NO. 7

On page 3, at the beginning of line 16 change "C." to "B."

AMENDMENT NO. 8

On page 3, at the beginning of line 22 change "D." to "C."

AMENDMENT NO. 9

On page 3, line 28 after "usable parts," change "and" to "or"

AMENDMENT NO. 10

On page 4, at the beginning of line 1 change "E." to "D."

AMENDMENT NO. 11

On page 4, line 5 after "crushed," change "and" to "or"

AMENDMENT NO. 12

On page 4, line 7 after "crushed" change "and" to "or"

AMENDMENT NO. 13

On page 4, at the beginning of line 11 change "F." to "E."

AMENDMENT NO. 14

On page 4, at the beginning of line 13 change "G." to "F."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

On page 4, line 9, following "word" and before "written" change "recycled" to " "recycled" "

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2 after "(15)" insert ", 707(E),"

AMENDMENT NO. 2

On page 1, line 10 after "(15)" insert ", 707(E),"

AMENDMENT NO. 3

On page 2, between lines 28 and 29, insert the following:

"§707. Application for certificates of title; exception; salvage title; antique vehicles; reconstructed title

\* \* \*

E. Upon application for certificate of title of a vehicle previously titled or registered outside of this state, the application shall show on its face such fact and the time and place of the last issuance of certificate of title, or registration, of such vehicle outside this state, and the name and address of the governmental officer, agency, or authority making such registration, together with such further information relative to its previous registration as may reasonably be required by the commissioner, including the time and place of original registration, if known, and if different from such last foreign registration. The applicant shall surrender to the commissioner all unexpired seals, certificates, registration cards, or other evidence of foreign registration pertaining to the vehicles. The certificate of title issued by the commissioner for a vehicle previously registered outside the state shall give the name of the state or country in which such vehicle was last previously registered outside this state. An application for a certificate of title, other than a certificate of destruction, of a vehicle previously titled or registered outside of this state shall be denied by the secretary of the Department of Public Safety and Corrections if the vehicle is damaged as provided in R.S. 32:702(14)."

Rep. Smiley moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Quezaire
Baldone	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burrell	Hill	Schneider
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Crane	Hunter	Smith, J.D.—50th
Cravins	Hutter	Smith, J.H.—8th
Crowe	Jackson	Smith, J.R.—30th
Curtis	Jefferson	Strain
Damico	Katz	Thompson
Daniel	Kennard	Toomy
Dartez	Kenney	Townsend
DeWitt	Kleckley	Triche
Doerge	LaBruzzo	Tucker
Dorsey	LaFonta	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Fannin	McDonald	White
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Frith	Morrish	Wright
Total - 87		

NAYS

Beard	Johns	Powell, T.
Cazayoux	LaFleur	St. Germain
Erdey	Lambert	
Total - 8		

ABSENT

Badon	Durand	Pierre
Barrow	Guillory, E.	Trahan
Bowler	Lancaster	
Burns	Morrell	
Total - 10		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 34—**

BY REPRESENTATIVES ALARIO, HAMMETT, ODINET, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, AND TOWNSEND

A JOINT RESOLUTION

Proposing to add Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to the homestead exemption and special assessment level where the homestead has been destroyed or is uninhabitable due to a disaster or emergency; to provide for claiming and keeping the homestead exemption and special assessment levels; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 34 by Representative Alario

AMENDMENT NO. 1

On page 3, line 2, change "February 4" to "April 29"

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Morrish
Alario	Geymann	Odinet
Alexander	Glover	Pierre
Ansardi	Gray	Pinac
Arnold	Greene	Pitre
Badon	Guillory, E.	Powell, M.
Baldone	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Romero
Burrell	Hill	Scalise
Carter, K.	Honey	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain

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Table with 3 columns of names: Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Erdey, Fannin, Farrar, Fauchaux, Frith; Katz, Kennard, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Marchand, Martiny, McDonald, McVea, Montgomery, Morrell; Strain, Thompson, Toomy, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, Wooton, Wright.

Total - 95

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Barrow, Beard, Bowler, Burns; Durand, Hopkins, Lancaster, Robideaux; Smith, J.D.-50th, Townsend.

Total - 10

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 44

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND AN ACT

To amend and reenact R.S. 47:2106, relative to the deferment of ad valorem tax payments where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 44 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 5, after "C." change "In case of overflow, general conflagration, general destruction of crops, or other public calamity, Whenever" to "In case of overflow, general conflagration, general destruction of crops, or other public calamity, or whenever"

AMENDMENT NO. 2

On page 2, at the end of line 11, add "or destroyed"

AMENDMENT NO. 3

On page 2, line 16, after "(1) insert "(a)(i)"

AMENDMENT NO. 4

On page 2, line 18, after "no later than" insert "December thirty-first of the year in which the damage or destruction occurred, or"

AMENDMENT NO. 6

On page 2, line 19, after "mailed" insert ", whichever is later,"

AMENDMENT NO. 7

On page 2, delete line 20, and insert:

"injured damaged or destroyed, giving"

AMENDMENT NO. 8

On page 3, line 2, after "indexed." insert the following:

"(ii) A statement of the right of the owner to have his taxes postponed as provided for in this Paragraph shall be included with the tax bill mailed to the taxpayer if such tax bill is mailed after the effective date of this Section.

(b)(i)"

AMENDMENT NO. 9

On page 3, line 7, after "manner." insert "(ii)"

AMENDMENT NO. 10

On page 3, line 11, after "paid." insert "(iii)"

AMENDMENT NO. 11

On page 3, line 23, change "(2)" to "D."

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Baudoin, Baylor, Beard, Bruce, Bruneau, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs, Erdey, Fannin, Farrar, Fauchaux, Frith; Gallot, Geymann, Glover, Gray, Greene, Guillory, E., Guillory, M., Hammett, Harris, Heaton, Hebert, Hill, Honey, Hopkins, Hunter, Hutter, Jackson, Jefferson, Johns, Katz, Kennard, Kenney, Kleckley, LaBruzzo, LaFleur, LaFonta, Lambert, Marchand, Martiny, McDonald, McVea, Montgomery, Morrish; Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Triche, Tucker, Waddell, Walker, Walsworth, White, Winston, Wooton, Wright.

Total - 99

NAYS

Total - 0

ABSENT

Barrow	Burns	Lancaster
Bowler	Durand	Morrell
Total - 6		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 46—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND

AN ACT

To enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 46 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 21, change " \_\_\_\_ " to "34"

AMENDMENT NO. 2

On page 2, line 22, after "Legislature" insert "or as Senate Bill No. 18 of this 2005 First Extraordinary Session of the Legislature"

AMENDMENT NO. 3

On page 2, line 23, change "February 4" to "April 29"

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Gray	Powell, M.
Arnold	Greene	Powell, T.
Badon	Guillory, E.	Quezaire
Baldone	Guillory, M.	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.R.—30th

Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Frith	Odinet	
Total - 97		

NAYS

Total - 0

ABSENT

Barrow	Durand	Lancaster
Bowler	Hammett	Smith, J.H.—8th
Burns	Honey	
Total - 8		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 65—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, GALLOT, E. GUILLORY, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATORS FIELDS, MCPHERSON, AND MURRAY

AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2005 and for tax year 2006 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 65 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 13, following "thereafter," and before "a period" change "for" to "be"

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre

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Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Harris	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Fauchoux	Odinet	

Total - 98

NAYS

Total - 0

ABSENT

Bowler	Hammett	Lancaster
Burns	Honey	
Durand	Katz	

Total - 7

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 73—

BY REPRESENTATIVES MARTINY, LAFLEUR, TOWNSEND, CAZAYOUX, CRAVINS, GALLOT, HEATON, FAUCHEUX, AND GARY SMITH AND SENATOR CHAISSON

AN ACT

To enact Title XXXIII of the Louisiana Code of Criminal Procedure, to be comprised of Louisiana Code of Criminal Procedure Articles 941 through 956, relative to criminal procedure; to provide for emergency sessions of criminal court; to provide for definitions; to provide for applicability; to provide for criminal jurisdiction and venue in emergency sessions of court; to provide for venue for habeas corpus proceedings in certain circumstances; to provide for criteria for emergency sessions of court; to provide for the power and authority of the court conducting emergency sessions; to provide for legislative findings; to provide for powers, duties, and authority of the sheriff operating in emergency sessions of court; to provide for the powers, duties, and authority of the clerk of court of an affected court conducting emergency sessions; to provide for the authority of the indigent defender board of the affected court conducting emergency sessions of court; to provide with respect to the summoning of a criminal jury pool; to provide for the suspension of certain time periods, limitations, and delays in the affected court; to provide for exceptions; to provide for appeals and the application of supervisory writs from a judgment or ruling of an affected court conducting emergency sessions of court; to provide for preemption of conflicting provisions of

law; to provide for the court costs, fees, and fines assessed or taxed and collected by the affected court conducting emergency sessions of court; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 73 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 27, delete "traffic."

AMENDMENT NO. 2

On page 3, line 13, change "a district, parish," to "an appellate, district, parish, traffic."

AMENDMENT NO. 3

On page 3, line 14, between "juvenile," and "or family" insert "justice of the peace."

AMENDMENT NO. 4

On page 3, line 25, after "judge" delete the comma "," and insert "and"

AMENDMENT NO. 5

On page 3, delete line 26 in its entirety and insert in lieu thereof the following:

"district attorney of the affected court."

AMENDMENT NO. 6

On page 4, line 23, delete "grand jury proceedings."

AMENDMENT NO. 7

On page 5, line 9, change "session" to "sessions"

AMENDMENT NO. 8

On page 5, lines 9 and 10, delete "the chief indigent defender."

AMENDMENT NO. 9

On page 5, line 10, between "clerk" and "of the" insert "of court"

AMENDMENT NO. 10

On page 7, delete line 6 in its entirety and insert in lieu thereof the following:

"In any criminal trial conducted pursuant to this Title, with the consent of the state and the defendant, the

AMENDMENT NO. 11

On page 7, line 7, after "jurisdiction," delete the remainder of the line and delete line 8 in its entirety.

AMENDMENT NO. 12

On page 7, delete line 29 in its entirety and insert in lieu thereof the following:

"Procedure Articles 230.1 and 230.2."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 73 by Representative Martiny

AMENDMENT NO. 1

Delete Conforming Senate Floor Amendments proposed by Senator Chaisson and adopted by the Senate on November 14, 2005.

AMENDMENT NO. 2

On page 1, line 12, after "of the" and before "indigent" insert "district attorney and the"

AMENDMENT NO. 3

On page 2, line 27, after "any" and before "district," insert "appellate."

AMENDMENT NO. 4

On page 2, line 28, after "juvenile," and before "or" insert "justice of the peace."

AMENDMENT NO. 5

On page 3, line 13, after "that" and before "district" delete "a" and insert "an appellate."

AMENDMENT NO. 6

On page 3, line 14, after "juvenile," and before "or" insert "traffic, justice of the peace."

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell

Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	

Total - 103

NAYS

Total - 0

ABSENT

Burns Durand

Total - 2

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES GALLOT, ANSARDI, AND THOMPSON AND SENATOR LENTINI

AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make necessary repairs; to provide for the removal and disposal of property; to provide for the duty of the lessor to preserve unsalvageable property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for retroactive effect; to provide for termination of provisions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 88 by Representative Gallot

AMENDMENT NO. 1

On page 1, at the beginning of line 5, after "property;" delete the remainder of the line and insert "to provide relative to the protection, preservation, and storage of property; to"

AMENDMENT NO. 2

On page 1, line 9, delete "to provide for retroactive effect;"

AMENDMENT NO. 3

On page 1, line 10, after the semicolon ";" and before "and" insert "to provide for redesignation of provisions by the Louisiana State Law Institute;"

AMENDMENT NO. 4

On page 2, line 6, after "Rita", delete the remainder of the line, on line 7, delete "2006", and on line 8, change "an immovable" to "immovable property"

AMENDMENT NO. 5

On page 2, line 10, after "premises" insert a period "." and delete the remainder of the line

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### AMENDMENT NO. 6

On page 2, between lines 12 and 13 insert the following:

"(2) The lessor shall keep written records of contacts with insurance agents and other investigators and of decisions on retrieval, preservation, and removal of movable property.

(3) The landlord shall salvage water-damaged books, heirlooms, photographs, and documents.

(4) The lessor may take the following into consideration in prioritizing the salvageability of the other movable property:

(a) Immediate susceptibility to damage.

(b) Rarity.

(c) Monetary value.

(d) Whether the property is on loan.

(e) Ability to move the object particularly without introducing the risk of additional damage.

(g) Degree of apparent damage.

(h) Degree of susceptibility over the time period of the salvage operation.

(5) If undamaged, movable property is in an unstable environment or area that is not secure, the lessor shall move the undamaged, movable property to any available storage site closest in proximity to the leased premises."

### AMENDMENT NO. 7

On page 2, line 13, change "(2)" to "(6)"

### AMENDMENT NO. 8

On page 2, line 18, change "(3)" to "(7)"

### AMENDMENT NO. 9

On page 2, delete lines 28 and 29 and insert the following:

"(8) The provisions of this Subsection are not applicable to any lessee who continues to occupy the premises or who has attempted to regain occupancy or remove his property within thirty days from the date that the affected area has been declared available for inspection by the local governing authority pursuant to the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 et seq.

D. (1) The lessor shall not move the movable property without documenting its condition. In order to document the condition of the movable property, the lessor may do either of the following:

(a) Use a camera or video camera to record conditions of the movable and immovable property and may make notes and voice recordings to accompany photographs or video.

(b) Cause an inventory to be made of the property."

### AMENDMENT NO. 10

On page 3, at the beginning of line 1, before "The" insert "(2)"

### AMENDMENT NO. 11

On page 3, at the end of line 22, change the period "." to ". provided that the lessor has been available for contact by the lessee or present at the leased premises."

### AMENDMENT NO. 12

On page 4, line 6, after "notify the lessee" and before the period "." insert ", has been available for contact by the lessee, and has complied with the provisions of this Section"

### AMENDMENT NO. 13

On page 4, line 10, after "to" delete the remainder of the line

### AMENDMENT NO. 14

On page 4, at the beginning of line 11, delete "door of the leased premises."

### AMENDMENT NO. 15

On page 4, line 15, after "located" and before the period "." insert "or notice by certified mail if the lessee's address is ascertainable through disaster services' websites, such those maintained by the American Red Cross or FEMA, or posting a notice on the door of the lease premises if the lessee has not provided emergency contact information or cannot be reached through any other reasonable methods including those included in this Paragraph"

### AMENDMENT NO. 16

On page 4, delete lines 22 and 23 in their entirety

### AMENDMENT NO. 17

On page 4, line 24, change "K." to "J."

### AMENDMENT NO. 18

On page 4, line 25, change "L." to "K."

### AMENDMENT NO. 19

On page 4, between lines 26 and 27, insert the following:

"Section 2. The Louisiana State Law Institute shall redesignate the provisions of this Act as R.S. 9:3391 of Chapter 5 of Code Title 9 of the Louisiana Revised Statutes of 1950."

### AMENDMENT NO. 20

On page 4, line 27, change "Section 2" to "Section 3"

## **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 88 by Representative Gallot

### AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 1, line 31 and on page 1, line 32, following "undamaged" and before "movable" delete the "."

### AMENDMENT NO. 2

In Senate Committee Amendment No. 9 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 2, line 5, following "continues" and before "occupy" change "too" to "to"

### AMENDMENT NO. 3

In Senate Committee Amendment No. 15 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 2, line 32, following "such" and before "those" insert "as"

AMENDMENT NO. 4

In Senate Committee Amendment No. 19 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 3, line 6, following "Title" and before "of" change "9" to "IX of Code Book III"

Rep. Gallot moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	
Total - 100		

**NAYS**

Total - 0

**ABSENT**

Bowler	Durand	Tucker
Burns	Lancaster	
Total - 5		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 90—**  
BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI

**AN ACT**

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to

suspension of prescription and peremptive periods and other legal deadlines; to provide relative to the extension of prescription and peremptive periods and other legal deadlines; to provide relative to the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for retroactive application; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

On page at the end of line 9, change "2554" to "2555"

AMENDMENT NO. 2

On page 2, at the beginning of line 11, change "A.(1)" to "A."

AMENDMENT NO. 3

On page 2, line 15, after "have" and before "lapsed" delete "accrued or"

AMENDMENT NO. 4

On page 2, line 19, after "shall" and before "lapse" delete "accrue or"

AMENDMENT NO. 5

On page 2, delete lines 20 through 29 in their entirety

AMENDMENT NO. 6

On page 3, delete lines 1 through 5 in their entirety

AMENDMENT NO. 7

On page 3, line 16, after "otherwise" and before "lapsed" delete "accrued or"

AMENDMENT NO. 8

On page 3, line 20, after "shall" and before "lapse" delete "accrue or"

AMENDMENT NO. 9

On page 3, line 23, after "proceeding" and before "lapsed" delete "accrued or"

AMENDMENT NO. 10

On page 4, between lines 2 and 3, insert the following:

"§2554. Purpose: certain courts; suspension and extension of prescription and peremption and other legal deadlines

A. The legislature finds that Hurricanes Katrina and Rita created a statewide emergency which affected the entire judicial system in this state, all legal communities, and prohibited the court system from functioning as required by law. The legislature acknowledges that the proper functioning of this state's judicial system is essential to the administration of justice for all citizens. The legislature also recognizes that the courts in Cameron, Orleans, Plaquemines, St. Bernard, and Vermillion, the legal communities,

and the citizens were so severely devastated and although the courts may be open on a limited basis, the massive destruction of these areas continues to endanger and infringe upon the normal functioning of the judicial system, the ability of persons to avail themselves of the judicial system and the ability of litigants or others to have access to the courts or to meet schedules or time deadlines imposed by court order or rule or statute. The majority of residents and attorneys domiciled in these areas have been displaced and numerous client files, witnesses, evidence, records and documents have been lost, damaged, or destroyed. The legislature hereby declares that there is a compelling governmental interest in protecting the rights, claims, or actions of parties and the attorneys who represent them by granting additional time and access to these courts provided in this Section.

B.(1) Notwithstanding the provisions of R.S. 9:2552 or 2553, a party who is domiciled within the parishes of Cameron, Orleans, Plaquemines, St. Bernard, or Vermillion, or whose cause of action arose within such parishes or whose attorney is domiciled within or has a law office within such parishes, may seek in any court in the state a limited suspension and/or extension of prescription or peremption periods or other legal deadlines, beyond the termination dates provided in R.S. 9:2552 and 2553, by contradictory motion or declaratory judgment. The party seeking an additional suspension and/or extension, in accordance with the provisions of this Section, shall bear the burden of proving by a preponderance of the evidence that the motion was filed at the earliest time practicable and but for the catastrophic effects of Hurricane Katrina or Rita, the legal deadline would have been timely met. If the court grants the motion, the prescription or peremptive period or other legal deadline shall be suspended or extended for a period not to exceed thirty days from the date of the granting of the motion. This limited suspension or extension shall terminate on June 1, 2006, and any right, claim, or action which would have expired during the time period of January 4, 2006, through May 31, 2006, shall lapse on June 1, 2006.

(2) The failure to file the motion authorized in Paragraph (1) above shall not preclude a party from using the basis of the motion as a defense to an exception of prescription."

AMENDMENT NO. 11

On page 4, at the beginning of line 3, change "§2554." to "§2555."

AMENDMENT NO. 12

On page 4, line 4, after "R.S. 9:2552" and before the comma ",," change "and 2553" to "through 2554"

AMENDMENT NO. 13

On page 4, at the beginning of line 8, change "§§2555" to "§§2556"

AMENDMENT NO. 14

On page 4, line 24, change "remedial" to "interpretative"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 2, following "page" and before "at," insert "2"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 6, following "after" and before "and" change "have" to "otherwise"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 24, following "state" and before "all." change "," to "and"

AMENDMENT NO. 4

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 29 and on page 2, line 9, at the beginning of the line, change "Vermillion" to "Vermilion"

AMENDMENT NO. 5

On page 2, line 15, before "if" change "only apply" to "apply only"

AMENDMENT NO. 6

On page 3, line 16, following "shall" and before "if" change "only apply" to "apply only"

AMENDMENT NO. 7

On page 3, lines 16 and 23, before "during" change "lapsed" to "occurred"

AMENDMENT NO. 8

On page 3, line 20, following "shall" and before "2006" change "lapse on January 4" to "be extended to January 3"

AMENDMENT NO. 9

On page 4, lines 18 and 21, following "Part IV of" and before "Code Title XXIV" insert "Chapter 1 of"

AMENDMENT NO. 10

On page 4, lines 18 and 21, following "Code Title XXIV" insert "of Code Book III"

AMENDMENT NO. 11

On page 4, line 18, following "A." and before "Act" change "The provisions of this" to "Chapter 1 of Code Title III of Code Book III of Title 9, as enacted by this"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

Delete Legislative Bureau Amendments Nos. 7 and 8 proposed by the Legislative Bureau and adopted by the Senate on November 16, 2005.

AMENDMENT NO. 2

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 2, line 9, change "Vermillion" to "Vermilion"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 2, at the end of line 10, after "court" insert "of competent jurisdiction"

AMENDMENT NO. 4

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 2, line 11, after "in" and before "state" change "the" to "this"

AMENDMENT NO. 5

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 2, line 24, change "above" to "of this Subsection"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Shepherd to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 1, line 28, after "St. Bernard," insert "Jefferson,"

AMENDMENT NO. 2

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 16, 2005, on page 2, line 8, after "St. Bernard," insert "Jefferson,"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

On page 4, between lines 27 and 28, insert the following:

"Section 6. The provisions of R.S. 9:2554 as amended by this Act shall specifically apply in all administrative hearings and proceedings."

AMENDMENT NO. 2

On page 4, at the beginning of line 28, change "Section 6." to "Section 7."

Rep. Gallot moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley

Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.–50th
Carter, R.	Jackson	Smith, J.H.–8th
Cazayoux	Jefferson	Smith, J.R.–30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	

Total - 103

NAYS

Total - 0

ABSENT

Burns Durand

Total - 2

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammett)—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

On page 1, delete lines 12 through 21, and insert:

"A.(1)(a)(i) If lands or property, including buildings, structures, or personal property, are destroyed, uninhabitable, or non-operational due to a disaster or emergency declared by the governor for tax year 2005, the Louisiana Tax Commission may order the ad valorem property taxes in a parish in which such lands or property are located to be assessed and collected for that year within such parish pursuant to Subsection C of this Section provided that the tax commission first receives notice in writing within ten days of the initial effective date of this Section from a majority of the elected taxing authorities in such parish that they have adopted a resolution declaring their intention to consider having the lands or property located within the parish assessed and collected for that year pursuant to Subsection C

of this Section. Upon a receipt of such notice from a majority of the elected taxing authorities within the parish, the tax commission shall notify the assessor and collector of the parish.

(ii) For the purposes of this Section, property subject to a mandatory evacuation shall be deemed to be uninhabitable or non-operational during the pendency of the mandatory evacuation.

(b) Except as provided for in Subsection D, if the tax commission does not receive notice of such intention in writing from a majority of the elected taxing authorities in such parish, the assessors in such parish shall proceed to assess ad valorem property tax within the parish in the manner provided for in Subsection B of this Section.

(2)(a) If the tax commission receives timely the notice provided for in Paragraph (1) of this Subsection from a majority of the elected taxing authorities in a parish, the tax commission shall notify the assessor and tax collector for the parish.

(b)(i) The elected taxing authorities within the parish which have timely adopted the resolution and provided notice to the tax commission as provided for in Paragraph (1) of this Subsection may adopt another resolution in the manner provided for in Item (ii) of this Subparagraph requesting an order from the tax commission that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section. Written notice of the adoption of the resolution shall be provided to the tax commission.

(ii) The resolution must be adopted by a vote of two-thirds of the members of the elected taxing authority after a public meeting conducted in accordance with the open meetings law. In addition to any other requirements of the open meetings law, special public notice of the time, place, and subject matter of such meeting shall be published on two separate days within fifteen days preceding the meeting in the official journal of the taxing authority and another newspaper with a larger distribution than that of the official journal, if one exists in the parish.

(3)(a) If the tax commission determines that it has received notice from a majority of the elected taxing authorities in a parish requesting that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section, and that the notice of each such elected tax authority was received within thirty days of the tax commission's receipt of the first notice provided for in Paragraph (1) of this Subsection, then the tax commission shall order the assessor and collector of such parish to proceed to assess and collect all ad valorem property taxes in the parish pursuant to Subsection C of this Section.

(b) Except as provided for in Subsection D, if the tax commission does not receive timely notice of the request provided for in Subparagraph (a) of this Paragraph from a majority of the elected taxing authorities, it shall notify the assessor and tax collector of such fact and the assessor and tax collector of such parish shall proceed to assess and collect all taxes within the parish pursuant to Subsection B of this Section.

(4)(a) For purposes of this Subsection, "elected taxing authorities" means taxing authorities whose member or members are chosen by a vote of the electorate.

(b) Municipalities shall be considered by the tax commission as one elected taxing authority for purposes of making the following determinations:

(i) Whether it has received the notice provided for in Paragraph (1) of this Subsection from a majority of elected taxing authorities in a parish.

(ii) Whether it has received the notice provided for in Paragraph (3) of this Subsection from a majority of the elected taxing authorities in a parish requesting that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section.

(5) The provisions of this Subsection shall not apply in the parishes of Jefferson, Orleans, Plaquemines, and St. Bernard."

AMENDMENT NO. 2

On page 2, line 1, after "B.(1)" insert:

"Unless the tax commission orders the assessment of land and property in the parish pursuant to Subsection C of this Section as provided for in Subsection A of this Section, and except as provided for in Subsection D, an assessor shall proceed to assess damaged and destroyed property pursuant to this Subsection.

(2) The assessor shall assess lands or property for the year in which damage has occurred at the percentage of fair market value provided in the Constitution of Louisiana by taking into consideration all the damages to the lands or other property and the depreciation of the value of such land or other property caused by the disaster or emergency described in this Section. Notwithstanding other provisions of law to the contrary, but except as provided in Subsection D, the assessor shall make these assessments whether the time fixed by law for filing assessment rolls has elapsed or not.

(3)(a)"

AMENDMENT NO. 3

On page 2, at the end of line 2, delete "of" and delete line 3, and insert:

"lands and other property are damaged or destroyed during a disaster or emergency declared by the governor, the general assessment roll has"

AMENDMENT NO. 4

On page 2, delete line 10, and insert:

"(b) If at the time lands and other property are damaged or destroyed during a disaster or emergency declared by the governor the"

AMENDMENT NO. 5

On page 2, at the end of line 12, insert "or destroyed"

AMENDMENT NO. 6

On page 2, line 17, change "(3)" to "(c)"

AMENDMENT NO. 7

On page 3, line 5, change "(C)" to "(3)"

AMENDMENT NO. 8

On page 3, between lines 9 and 10, insert:

"C.(1)(a) Except as provided for in Subsection D of this Section, if the tax commission orders the assessment of land and property in the parish pursuant to this Subsection as provided for in Subsection A of this Section, the ad valorem taxes due for the year in which property within the parish is damaged or destroyed will, upon application of the property owner, be prorated.

(b) Proration shall be calculated as follows: the ad valorem taxes resulting from the assessed valuation for the year in which the damage or destruction occurred shall be multiplied by a factor to determine the ad valorem taxes owed for that year. The factor shall be the number of months during the tax year that the property was habitable, divided by twelve. For the purposes of this calculation, a fraction of a month is to be considered a month.

(2) If the provisions of this Subsection are applicable, any property owner seeking to have his ad valorem tax bill prorated shall notify the assessor in writing, providing a request to have his property tax bill prorated, including a description of the damage and the number of whole months in which the property was uninhabitable due to the damage during the tax year at issue.

(3) If the provisions of this Subsection are applicable, the ad valorem property tax bill provided to each taxpayer shall include the following statement:

"If the property set forth herein was severely damaged or destroyed, rendering the property uninhabitable for a portion of the year for which these taxes are due, you MAY be entitled to have your tax bill reduced. Contact the tax collector for details on obtaining a reduction."

D. The provisions of this Section shall not apply to lands or property in any parish for which the assessment rolls for tax year 2005 were certified, or partially or conditionally certified, by the Louisiana Tax Commission prior to the initial effective date of this Section."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 16, 2005, on page 2, line 43, at the end of the line, change "(3)" to "(4)"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 16, 2005, on page 2, at the beginning of line 14 thereof, before "Jefferson" add "Cameron."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boasso to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

On page 3, line 20, after "2006" insert ", except that the tax rolls for 2005 for the parish of St. Bernard shall be completed and filed on or before June 30, 2006"

AMENDMENT NO. 2

On page 3, line 21, change "March 31, 2006" to "those dates"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

On page 2, line 26, change "ten" to "fifteen"

AMENDMENT NO. 2

On page 2, line 29, change "ten" to "fifteen"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed House Bill No. 148 by Representative Arnold

AMENDMENT NO. 1

On page 4, after line 13, insert:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Frith moved that the amendments proposed by the Senate be rejected.

Rep. Arnold objected.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Romero
Ansardi	Frith	Schneider
Baudoin	Gallot	Smith, G.
Baylor	Geymann	Smith, J.D.-50th
Beard	Greene	Smith, J.H.-8th
Bowler	Hebert	Smith, J.R.-30th
Bruce	Hopkins	St. Germain
Bruneau	Johns	Strain
Burrell	Kennard	Townsend
Cazayoux	LaFleur	Triche
Curtis	LaFonta	Waddell
Daniel	Lancaster	Walker
Dartez	Martiny	Walsworth
DeWitt	McDonald	Wooton
Dorsey	McVea	Wright
Fannin	Montgomery	
Total - 47		

**NAYS**

Alario	Guillory, M.	Pitre
Alexander	Hammett	Powell, M.
Arnold	Heaton	Powell, T.
Baldone	Jackson	Ritchie
Carter, R.	Jefferson	Robideaux
Crane	Katz	Scalise
Cravins	Kenney	Smiley
Crowe	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Doerge	Lambert	Tucker
Dove	Morrish	White

Erdey	Odinot	Winston
Glover	Pinac	
Total - 38		
	ABSENT	
Badon	Gray	Marchand
Barrow	Guillory, E.	Morrell
Burns	Harris	Pierre
Carter, K.	Hill	Quezaire
Downs	Honey	Richmond
Durand	Hunter	Trahan
Fauchoux	Hutter	
Total - 20		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 148: Reps. Arnold, Hammett, and Frith.

**HOUSE BILL NO. 17—**  
BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide for applicability; to provide limitations and an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 17 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 15, after "any" delete the remainder of the line and insert "employer who is unable to make the required contributions on a timely basis"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 17 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "relative to" and before "delinquent" insert the following:

"retirement; to provide for retirement eligibility and benefit calculation; to provide for payment of certain unfunded accrued liabilities; to provide relative to"

AMENDMENT NO. 2

On page 1, between lines 18 and 19, insert the following:

"Section 2. (A)(1)Any active contributing member of the Louisiana State Employees' Retirement System and any person who

has creditable service in the system who has been furloughed, terminated, or placed on leave without pay due to the budget reductions required by the effects of hurricanes Katrina and Rita, who is ineligible to retire under the provisions of R.S. 11:441(A)(1)(a), (b), or (c), but who has earned a minimum of ten years of creditable service and who has attained the age of fifty years, and who elects to retire under the provisions of this Section on or after December 1, 2005, and on or before February 28, 2006, shall be eligible, notwithstanding the provisions of R.S. 11:441(A)(1)(a), (b), or (c), to retire from state service and receive a retirement allowance equal to two and one-quarter percent of his average compensation, as determined pursuant to R.S. 11:231, for every year of creditable service.

(2) Notwithstanding any other provision of law to the contrary, any person who has attained the age of fifty years to whom this Section would otherwise apply who retired pursuant to the provisions of Act 194 of the 2004 regular legislative session or pursuant to the provisions of R.S. 11:441(A)(1)(d) on or after November 1, 2005, shall, upon application to the system's board of trustees, have his retirement benefit recalculated under the provisions of this Section, so long as his application for recalculation is received by the system on or before February 28, 2006. The person shall receive the greater of the two benefit calculations and shall be subject to the provisions of the law pursuant to which he receives the greater benefit.

(3) The provisions of this Section shall not apply to any person who receives an additional retirement benefit under any other provision of law included but not limited to R.S. 11:557, 582, and 602 and R.S. 24:36.

(B) All unused accumulated sick and annual leave of a person retiring under the provisions of this Section shall be converted to retirement credit in accordance with the provisions of R.S. 11:424 and no payment shall be made therefor by any state agency other than the system; however, the individual may opt at the time of retirement to receive a lump sum benefit payment from the system for up to three hundred hours of annual leave so converted. Any lump-sum benefit payment made by the system under the provisions of this Section shall be calculated based on the person's rate of pay on the date he separates from service and shall not be calculated based on average compensation. Payment hereunder shall be made only after certification by the division of administration of the person's leave balance and of the fact that the person has not previously received payment for any leave.

(C)(1) The division of administration shall report to the Joint Legislative Committee on the Budget the number of positions vacated pursuant to the provisions of this Section and the fiscal savings created thereby on or before March 15, 2006. Positions within the executive branch of state government which are caused to be vacated by this Section, directly or indirectly, including by promotion to fill a vacated position, shall not be filled, except upon approval of the division of administration and in accordance with the rules and regulations of the Civil Service Commission. However, before any such approval by the division of administration of the employment of a person not already employed by the agency or not currently employed by the state, the agency shall, if necessary and feasible, and subject to the approval of the division of administration, refill the vacancy from within the agency or in cooperation with the Civil Service Commission transfer employees from another agency to refill the vacancy.

(2) In no case, shall any department within the executive branch of state government refill more than twenty-five percent of the positions caused to be vacated by the provisions of this Section, as reported pursuant to the provisions of Paragraph (1) of this Subsection. The division of administration shall make quarterly reports to the Joint Legislative Committee on the Budget on the number of positions which have been filled by the hiring of new

employees or by transfer from one agency to another agency and the salaries associated therewith.

(D) Any person who elects to retire under the provisions of this Section who is reemployed in a position which would otherwise make him eligible for system membership shall not become a member; his benefit shall be suspended upon reemployment and no supplemental benefit shall be earned while he is so employed. The system shall promulgate rules to provide for the implementation of the provisions of this Section, including agency reporting of any retirees reemployed

(E) The legislature shall annually appropriate out of the general fund or any budget surplus an amount equal to ten percent of the reduction in the general fund expenditures attributable to the provisions of this Section to make an additional payment to the Louisiana State Employees' Retirement System for purposes of reducing the unfunded accrued liability that existed on June 30, 1988."

AMENDMENT NO. 3

On page 1, at the beginning of line 19, change "Section 2. This Act is" to "Section 3. The provisions of Section 1 of this Act are"

AMENDMENT NO. 4

On page 2, at the beginning of line 1, change "Section 3." to "Section 4."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Reengrossed House Bill No. 17 by Representative Hutter

AMENDMENT NO. 1

In Senate Floor Amendment proposed by Senator B. Gautreaux and adopted by the Senate on November 21, 2005, in amendment no. 2 on page 2, delete line 5 and insert "of this Section."

Rep. Hutter moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Tucker moved that the amendments proposed by the Senate be rejected.

Rep. Hutter objected.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Greene	Powell, M.
Alexander	Guillory, E.	Powell, T.
Ansardi	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Hopkins	Smiley
Carter, R.	Jackson	Smith, G.
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Cravins	Kennard	St. Germain
Crowe	Kenney	Strain

Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	Lambert	Trahan
Dorsey	Lancaster	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	White
Farrar	Morrish	Winston
Faucheux	Odinet	Wooton
Gallot	Pierre	
Geymann	Pinac	

Total - 79

NAYS

Arnold	Curtis	LaFonta
Badon	Gray	Marchand
Baldone	Harris	Morrell
Barrow	Honey	Quezaire
Baylor	Hunter	Richmond
Burrell	Hutter	Triche
Carter, K.	Jefferson	Wright

Total - 21

ABSENT

Burns	Durand	Smith, J.D.—50th
Dartez	Frith	

Total - 5

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 17: Reps. Hutter, Tucker, and Schneider.

**HOUSE BILL NO. 18—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit while on such furlough or leave; to provide for payment therefor; to provide limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 18 by Representative Hutter

AMENDMENT NO. 1

On page 2, line 1, after "(2)" and before "Any" insert "(a)"

AMENDMENT NO. 2

On page 2, line 6, after "account." and before "There" insert "(b)"

AMENDMENT NO. 3

On page 2, line 7, after "Section." and before "The" insert the following:

"(c) Any service and salary credit purchased pursuant to this Paragraph shall be subject to the following conditions and limitations:

(i) The purchased service and salary credit may not be used for the purpose of meeting the minimum service requirements for disability retirement.

(ii) Compensation on which the required contributions for purchase of service and salary credit are based shall be the rate of compensation in effect for the last full pay period ending on or before August 29, 2005.

(iii) The right to purchase service and salary credit pursuant to this Paragraph shall not apply to routine personnel actions or separations which are not the direct result of a gubernatorially declared disaster or emergency.

(iv) Any dispute arising under the limitations of this Paragraph shall be resolved in the sole and exclusive discretion of the board of trustees of the retirement system.

(d)"

AMENDMENT NO. 4

On page 2, at the end of line 9, insert the following:

"(e) All payment for service purchased pursuant to this Paragraph shall be remitted to the system on or before December 31, 2006."

AMENDMENT NO. 5

On page 2, line 17, after "system" and before "the" insert "or to his employer"

AMENDMENT NO. 6

On page 2, line 19, after "contributions" and before "shall" insert a comma "," and "if paid to the employer," and after "the" delete the remainder of the line

AMENDMENT NO. 7

On page 2, line 20, after "employer" and before "to" delete "who shall remit them"

AMENDMENT NO. 8

On page 3, line 1, after "payment" and before "the" delete "upon" and insert in lieu thereof "within thirty days of"

AMENDMENT NO. 9

On page 3, line 1, delete "work," and insert in lieu thereof "work; however, any payment made pursuant to the provisions of this Subparagraph shall be remitted to the system on or before December 31, 2006."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 18 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 3, after "pay" and before "to allow" insert the following:

"to provide for retirement eligibility and benefit calculation; to provide for payment of certain unfunded accrued liabilities;"

AMENDMENT NO. 2

On page 3, between lines 3 and 4, insert the following:

"Section 2. (A)(1)Any active contributing member of the Louisiana State Employees' Retirement System and any person who has creditable service in the system who has been furloughed, terminated, or placed on leave without pay due to the budget reductions required by the effects of hurricanes Katrina and Rita, who is ineligible to retire under the provisions of R.S. 11:441(A)(1)(a), (b), or (c), but who has earned a minimum of ten years of creditable service and who has attained the age of fifty years, and who elects to retire under the provisions of this Section on or after December 1, 2005, and on or before February 28, 2006, shall be eligible, notwithstanding the provisions of R.S. 11:441(A)(1)(a), (b), or (c), to retire from state service and receive a retirement allowance equal to two and one-quarter percent of his average compensation, as determined pursuant to R.S. 11:231, for every year of creditable service.

(2) Notwithstanding any other provision of law to the contrary, any person who has attained the age of fifty years to whom this Section would otherwise apply who retired pursuant to the provisions of Act 194 of the 2004 regular legislative session or pursuant to the provisions of R.S. 11:441(A)(1)(d) on or after November 1, 2005, shall, upon application to the system's board of trustees, have his retirement benefit recalculated under the provisions of this Section, so long as his application for recalculation is received by the system on or before February 28, 2006. The person shall receive the greater of the two benefit calculations and shall be subject to the provisions of the law pursuant to which he receives the greater benefit.

(3) The provisions of this Section shall not apply to any person who receives an additional retirement benefit under any other provision of law included but not limited to R.S. 11:557, 582, and 602 and R.S. 24:36.

(B) All unused accumulated sick and annual leave of a person retiring under the provisions of this Section shall be converted to retirement credit in accordance with the provisions of R.S. 11:424 and no payment shall be made therefor by any state agency other than the system; however, the individual may opt at the time of retirement to receive a lump sum benefit payment from the system for up to three hundred hours of annual leave so converted. Any lump-sum benefit payment made by the system under the provisions of this Section shall be calculated based on the person's rate of pay on the date he separates from service and shall not be calculated based on average compensation. Payment hereunder shall be made only after certification by the division of administration of the person's leave balance and of the fact that the person has not previously received payment for any leave.

(C)(1) The division of administration shall report to the Joint Legislative Committee on the Budget the number of positions vacated pursuant to the provisions of this Section and the fiscal savings created thereby on or before March 15, 2006. Positions within the executive branch of state government which are caused to be vacated by this Section, directly or indirectly, including by promotion to fill a vacated position, shall not be filled, except upon approval of the division of administration and in accordance with the rules and regulations of the Civil Service Commission. However, before any such approval by the division of administration of the employment of a person not already employed by the agency or not currently employed by the state, the agency shall, if necessary and feasible, and subject to the approval of the division of administration, refill the vacancy from within the agency or in cooperation with the Civil Service Commission transfer employees from another agency to refill the vacancy.

(2) In no case, shall any department within the executive branch of state government refill more than twenty-five percent of the

positions caused to be vacated by the provisions of this Section, as reported pursuant to the provisions of Paragraph (1) of this Subsection. The division of administration shall make quarterly reports to the Joint Legislative Committee on the Budget on the number of positions which have been filled by the hiring of new employees or by transfer from one agency to another agency and the salaries associated therewith.

(D) Any person who elects to retire under the provisions of this Section who is reemployed in a position which would otherwise make him eligible for system membership shall not become a member; his benefit shall be suspended upon reemployment and no supplemental benefit shall be earned while he is so employed. The system shall promulgate rules to provide for the implementation of the provisions of this Section, including agency reporting of any retirees reemployed

(E) The legislature shall annually appropriate out of the general fund or any budget surplus an amount equal to ten percent of the reduction in the general fund expenditures attributable to the provisions of this Section to make an additional payment to the Louisiana State Employees' Retirement System for purposes of reducing the unfunded accrued liability that existed on June 30, 1988."

**AMENDMENT NO. 3**

On page 3, at the beginning of line 4, change "Section 2. This Act is" to "Section 3. The provisions of Section 1 of this Act are"

**AMENDMENT NO. 4**

On page 3, at the beginning of line 6, change "Section 3." to "Section 4."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Reengrossed House Bill No. 18 by Representative Hutter

**AMENDMENT NO. 1**

In Senate Floor Amendment proposed by Senator B. Gautreaux, and adopted by the Senate on November 21, 2005, in amendment no. 2 on page 2, delete line 5, and insert "of the Section."

Rep. Hutter moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Alexander	Glover	Pitre
Ansardi	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Ritchie
Baudoin	Harris	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson

Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrish	
Frith	Odinet	
Total - 94		

**NAYS**

Carter, K.	Honey	Richmond
Gray	Morrell	
Total - 5		

**ABSENT**

Arnold	Burns	Johns
Baylor	Durand	Smiley
Total - 6		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 18: Reps. Hutter, Schneider, and Tucker.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, PINAC, ARNOLD, BALDONE, BRUNEAU, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, MONTGOMERY, ODINET, ROBIDEAUX, SCALISE, SCHNEIDER, JANE SMITH, TOWNSEND, WHITE, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DANIEL, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

**AN ACT**

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits and deductions; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 24 by Representative Hammett

**AMENDMENT NO. 1**

On page 2, line 26, after "Subparagraph" insert "and in R.S. 47:287.85(C)(2)"

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Pierre
Alario	Glover	Pinac
Alexander	Gray	Pitre
Ansardi	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Gallot	Odinet	

Total - 100

**NAYS**

Total - 0

**ABSENT**

Arnold	Durand	Montgomery
Burns	Frith	

Total - 5

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 97—**  
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 42:851(E)(1)( introductory paragraph) and (M)(1) and to enact R.S. 42:851(D)(4) and (M)(4), relative to Office of Group Benefits programs; to prohibit any reduction in the minimum state contribution for premium payments for certain employees affected by Hurricanes Katrina and Rita under certain circumstances; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 97 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 13, insert the following:

"The state may contribute its portion of the premium and charges due under this Section for which an employee is granted leave of absence without pay due to active military duty or is granted leave without pay under the provisions of the federal Family and Medical Leave Act."

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	

Total - 100

**NAYS**

Total - 0

**ABSENT**

Burns	Durand	Walker
Downs	Kennard	

Total - 5

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 101—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act; to define low-income community to include areas affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 101 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 2 after "reenact" and before "R.S." insert "R. S. 47:6016(B)(4) and"

AMENDMENT NO. 2

On page 1, line 3 after "Act" and before the semicolon ";" insert "and new market tax credits"

AMENDMENT NO. 3

On page 1, between lines 6 and 7 insert the following:

"Section 1. R. S. 47:6016(B)(4) is hereby amended and reenacted to read as follows:

§6016. New markets tax credit

\* \* \*

B. As used in this Section, the following terms shall have the following meanings:

\* \* \*

(4) "Qualified equity investment" and "qualified low-income community investments" shall have the same meaning given to them in Section 45D of the Internal Revenue Code. "Qualified low-income community investments" shall also mean investments made in low-income communities as defined in R. S. 51:3084(11)(b).

\* \* \*

AMENDMENT NO. 4

On page 1, line 7 change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 1 change "Section 2." to "Section 3."

Rep. Richmond moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.

Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Fauchoux	Morrell	Wright
Frith	Morrish	

Total - 101

NAYS

Total - 0

ABSENT

Burns	Durand
Downs	Katz

Total - 4

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 121—**

BY REPRESENTATIVES CRANE, ALARIO, DEWITT, DORSEY, HAMMETT, AND SALTER AND SENATORS DUPLESSIS, HEITMEIER, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), 3973(2)(b)(v)(cc), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the recovery district to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds

by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 121 by Representative Crane

AMENDMENT NO. 1

On page 1, line 4, after "3973(2)(b)(v)(cc)," delete "and" and after "3983(A)(1)(g)", insert "and 3997(A)(1)(c),"

AMENDMENT NO. 2

On page 2, line 6, after "district;" delete the remainder of the line and delete line 7, and at the beginning of line 8, delete "5 charter schools" and insert in lieu thereof the following:

"to provide for the review of Type 5 charter proposals in compliance with certain standards; to provide prohibitions relative to the membership of the governing or management boards of certain recovery district charter schools;"

AMENDMENT NO. 3

On page 2, line 9, after "circumstances;" insert" to provide with regard to the authority of the governing authority of a Type 5 charter school to bargain and enter into a collectively bargained contract;"

AMENDMENT NO. 4

On page 2, line 16, after "3973(2)(b)(v)(cc)," delete "and" and after "3983(A)(1)(g)" insert ", and 3997(A)(1)(c)"

AMENDMENT NO. 5

On page 2, at the beginning of line 20, after "A." and before "Each" insert "(1)"

AMENDMENT NO. 6

On page 2, line 28, after "system" delete the remainder of the line and delete line 29 and on page 3, at the beginning of line 1, delete "census"

AMENDMENT NO. 7

On page 3, between lines 11 and 12, insert the following:

"(2) On and after November 15, 2008, no additional schools shall be transferred to the jurisdiction of the recovery district pursuant to this Section."

AMENDMENT NO. 8

On page 3, at the beginning of line 17, after "(2)(a)" and before "The" insert "(i)"

AMENDMENT NO. 9

On page 3, between lines 24 and 25, insert the following:

"(ii) However, the recovery district shall provide for and ensure that schools of appropriate grade that have open enrollment policies are operating and available for the enrollment of students in reasonable proximity to the neighborhoods where concentrations of students reside. The recovery district shall use the best information available to make the determinations of the location of such neighborhoods. The requirements of this Item shall be reflected in all planning, presenting, reviewing, and approving required by Subparagraph (b) of this Paragraph."

AMENDMENT NO. 10

On page 4, between lines 12 and 13, insert the following:

"(iii) The requirements of this Subparagraph shall not preclude the operation of a limited number of schools prior to completion and approval of the required plan provided that such schools are operated in direct response to the present needs of students and provided that the operation of such schools is approved by the state board after a review by the board of the data presented by the recovery district supporting the operation of the schools and review and consideration by the board of the efforts made by the recovery district to seek and consider input from the community and its leaders and the input gained from those efforts."

AMENDMENT NO. 11

On page 11, at the end of line 7, add the following:

"The chartering authority shall review each Type 5 charter proposal in compliance with the Principles and Standards for Quality Charter School Authorizing as promulgated by the National Association of Charter School Authorizers."

AMENDMENT NO. 12

On page 11, at the beginning of line 16, after "(cc)" and before "No" insert "(aaa)"

AMENDMENT NO. 13

On page 11, between lines 20 and 21, insert the following:

"(bbb) No member of a governing or management board of any Type 5 charter school shall be an elected official as defined by R.S. 42:1102(9). No member of such a board shall have been an elected official for a period of at least one year prior to appointment to such board."

AMENDMENT NO. 14

On page 13, between lines 3 and 4, insert the following:

"§3997. Charter school employees

A.(1)

\* \* \*

(c) The governing authority of any Type 5 charter school may bargain and enter into a collectively bargained contract on behalf of all or any group of its employees. The provisions of this

Subparagraph supersede the provisions of R.S. 17:3996(D) as it relates to Type 5 charter schools.

\* \* \*

Rep. Crane moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pinac
Alario	Geymann	Pitre
Alexander	Glover	Powell, M.
Ansardi	Greene	Powell, T.
Arnold	Guillory, E.	Ritchie
Baldone	Guillory, M.	Robideaux
Barrow	Hammett	Romero
Baudoin	Heaton	Scalise
Beard	Hebert	Schneider
Bowler	Hill	Smiley
Bruce	Hopkins	Smith, G.
Bruneau	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrish	Wooton
Farrar	Odinot	Wright
Faucheux	Pierre	
Total - 89		

**NAYS**

Badon	Gray	Marchand
Baylor	Harris	Morrell
Burrell	Honey	Quezaire
Carter, K.	Jefferson	Richmond
Gallot	LaFonta	
Total - 14		

**ABSENT**

Burns	Durand
Total - 2	

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT  
AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 140 by Representative Alario

AMENDMENT NO. 1

On page 1, delete lines 16 through 20, and on page 2, delete lines 1 through 3, and insert the following:

"Section, total state revenue receipts shall be state general fund and dedicated funds as defined in Article VII, Section 10(J) of the Constitution of Louisiana.

Section 2. This Act shall become effective on January 1, 2006; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2006, or on the day following such approval by the legislature whichever is later."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 140 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005.

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Montgomery
Alario	Gallot	Morrell
Alexander	Geymann	Morrish
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Romero
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	Kleckley	Trahan
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker

Downs	Lancaster	Walsworth
Erdey	Marchand	White
Fannin	Martiny	Winston
Farrar	McDonald	Wooton
Fauchoux	McVea	Wright

Total - 99

NAYS

Robideaux Scalise

Total - 2

ABSENT

Burns Durand

Curtis Odinet

Total - 4

The amendments proposed by the Senate were concurred in by the House.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**APPOINTMENT OF CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 148: Senators Adley, Murray, and Theunissen.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**SENATE BILL NO. 1—**

BY SENATORS AMEDEE AND CHAISSON AND COAUTHORED BY SENATORS FONTENOT, N. GAUTREAU, SCHEDLER, ADLEY, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAU, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, MALONE, MARIONNEAU, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CRAVINS, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, MCDONALD, MONTGOMERY, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WALKER, WALSWORTH, WHITE, WINSTON AND WOOTON

AN ACT

To amend and reenact R.S. 15:542(A), (C)(2) and (F) and 545(A) and to enact R.S. 15:542(A)(4), relative to registration of sex offenders; to provide for enhanced penalties for failure to

register as a sex offender; to provide for registration of offenders housed in emergency housing; to provide for re-registration of sex offenders under certain circumstances; to provide for the police chief or police department to send written notices; and to provide for related matters.

Read by title.

Rep. Cravins moved to adopt the Conference Committee Report.

**CONFERENCE COMMITTEE REPORT  
Senate Bill No. 1 by Senator Amedee**

November 21, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 1 by Senator Amedeerecommend the following concerning the Reengrossed bill:

1. That all Conforming House Floor Amendments proposed by Representative Cravins and adopted by the House of Representatives on November 14, 2005 be rejected.
2. That House Floor Amendment Nos. 1, 2, 4, 5, 6, 9, and 12 proposed by Representative Cravins and adopted by the House of Representatives on November 16, 2005 be rejected.
3. That House Floor Amendment Nos. 7, 8, 10, 11, 13, and 14 proposed by Representative Cravins and adopted by the House of Representatives on November 16, 2005 be accepted.
4. That the following amendments to the reengrossed bill be adopted:

**AMENDMENT NO. 1**

On page 1, line 6, after "circumstances;" delete the remainder of the line and delete line 7 in its entirety and insert in lieu thereof the following:

"to provide that penalties for failure to register shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residences in certain circumstances; and to provide for related matters."

Respectfully submitted,

Senator Amedee  
Senator Chaisson  
Senator Fontenot  
Representative Cravins  
Representative Lambert  
Representative Martiny

Rep. Cravins moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Oinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire

Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Fauchoux	Morrell	
Frith	Morrish	
Total - 103		

NAYS

Total - 0

ABSENT

Burns	Durand
Total - 2	

The Conference Committee Report was adopted.

**HOUSE BILL NO. 40—**  
 BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD,  
 CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, AND JANE SMITH  
**AN ACT**

To amend and reenact R.S. 47:331(P)(2), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 40 by Representative Hammett**

November 21, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 40 by Representative Hammett, recommend the following concerning the Engrossed bill:

1. Reject the amendment proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005.
2. Reject the set of five Senate Floor amendments proposed by Senator Ellington and adopted by the Senate on November 21, 2005.

3. Reject the set of four Senate Floor amendments proposed by Senator Ellington and adopted by the Senate on November 21, 2005.

4. Amend engrossed bill as follows:

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:331(P)(2)" insert:

"and to enact R.S. 47:301(3)(j) and (13)(l), 302(T), 321(J), and 331(R)"

AMENDMENT NO. 2

On page 1, line 6, change "enacted" to the following:

"amended and reenacted and R.S. 47:301(3)(j) and (13)(l), 302(T), 321(J), and 331(R) are hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert:

"§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(3)

\* \* \*

(j) For the purpose of the sales and use taxes imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "cost price" of natural gas for the period July 1, 2006, through December 31, 2008, purchased or used by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

\* \* \*

(13)

\* \* \*

(l) For purposes of the sales and use tax imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "sales price" of natural gas for the period July 1, 2006, through December 31, 2008, sold for use by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

\* \* \*

§302. Imposition of tax

\* \* \*

T. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to the tax levied pursuant to the provisions of this Section for the period July 1, 2006, through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

\* \* \*

§321. Imposition of tax

\* \* \*

J. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the

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2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to the tax levied pursuant to the provisions of this Section for the period July 1, 2006, through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities."

\* \* \*

AMENDMENT NO. 4

On page 1, line 15, change "For" to the following:

"Except as provided for in Subsection R of this Section, for"

AMENDMENT NO. 5

On page 1, after line 22, insert:

"R. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to all of the tax levied pursuant to the provisions of this Section for the period July 1, 2006, through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities."

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
 Representative Charles McDonald  
 Representative T. Taylor Townsend  
 Senator Willie Mount  
 Senator Robert W. "Bob" Kostelka  
 Senator Noble E. Ellington

Rep. Hammett moved to adopt the Conference Committee Report.

As a substitute, Rep. Hebert moved to recommit the bill to the Conference Committee.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Badon	DeWitt	LaFonta
Baudoin	Gray	Richmond
Baylor	Harris	Romero
Burrell	Hebert	Smith, J.D.—50th
Carter, K.	Jefferson	
Curtis	LaFleur	
Total - 16		

**NAYS**

Mr. Speaker	Glover	Pinac
Alario	Greene	Pitre
Alexander	Guillory, E.	Powell, M.
Ansardi	Hammett	Powell, T.
Arnold	Heaton	Quezaire
Baldone	Hill	Ritchie
Barrow	Honey	Robideaux
Beard	Hopkins	Scalise
Bowler	Hunter	Schneider
Bruce	Hutter	Smiley
Bruneau	Jackson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Katz	St. Germain
Crane	Kennard	Strain

Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	Lambert	Trahan
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Frith	Morrish	Wright
Gallot	Odinet	
Geymann	Pierre	
Total - 82		

**ABSENT**

Burns	Faucheux	Triche
Dartez	Guillory, M.	
Durand	Smith, G.	
Total - 7		

The House refused to recommit the bill to the Conference Committee.

Rep. Hammett insisted on his motion to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrish	
Faucheux	Odinet	
Total - 91		

**NAYS**

Badon	Hebert	Richmond
Carter, K.	Jefferson	Romero
Gray	LaFonta	
Harris	Morrell	
Total - 10		

**ABSENT**

Baudoin Durand  
Burns Triche  
Total - 4

The Conference Committee Report was adopted.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNSEND, TUCKER, ALARIO, ALEXANDER, ANSARDI, BEARD, BOWLER, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

**AN ACT**

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 41 by Representative Hammett**

November 21, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill 41 by Representative Hammett recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 and 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005 be adopted.
2. That Senate Committee Amendments No. 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005 be rejected.
3. That the following amendment to the reengrossed bill be adopted:

**AMENDMENT NO. 1**

On page 2, at the end of line 24, delete "Subparagraph" and insert "Item (2)(a)(i) or (ii)"

Respectfully submitted,

Senator Willie Mount  
Senator Robert Adley  
Senator Ben Nevers  
Representative Bryant O. Hammett, Jr.  
Representative Billy Montgomery  
Representative T. Taylor Townsend

Rep. Hammett moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Montgomery
Alario	Gallot	Morrish
Alexander	Geymann	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Erdey	Marchand	Walsworth
Fannin	Martiny	White
Farrar	McDonald	Winston
Fauchoux	McVea	Wright
Total - 99		

**NAYS**

Romero  
Total - 1

**ABSENT**

Burns	Durand	Wooton
Daniel	Morrell	
Total - 5		

The Conference Committee Report was adopted.

**HOUSE BILL NO. 5—**

BY REPRESENTATIVES WALKER, KATZ, AND PINAC  
**AN ACT**

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 5 by Representative Walker**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 5 by Representative Walker, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 2, 6, and 9 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005, be adopted.
2. That Senate Committee Amendments Nos. 1, 3 through 5, 7, 8, and 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005, be rejected.
3. That Senate Floor Amendments Nos. 1 through 7 proposed by Senator McPherson and adopted by the Senate on November 21, 2005, be rejected.
4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete line 18 in its entirety and insert in lieu thereof:

"(b) Restrictions of locations of newly approved facilities that are subject to the provisions of the facility need review process.

(c) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.

(d) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 3

On page 2, delete line 15 in its entirety and insert in lieu thereof:

"(ii) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.

(iii) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause."

AMENDMENT NO. 4

On page 2, delete line 26 in its entirety and insert in lieu thereof:

"(b) Restrictions of locations of newly approved facilities that are subject to the provisions of the facility need review process.

(c) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.

(d) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause."

Respectfully submitted,

Representative Michael Jackson  
 Representative Monica Walker  
 Representative Wayne Waddell  
 Senator Joe McPherson  
 Senator Sherri Smith Cheek

Rep. Walker moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.-50th
Carter, R.	Jefferson	Smith, J.H.-8th
Cazayoux	Johns	Smith, J.R.-30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Fauchoux	Morrish	
Total - 101		

**NAYS**

Total - 0

**ABSENT**

Burns	Guillory, M.
Durand	Hopkins
Total - 4	

The Conference Committee Report was adopted.

**HOUSE BILL NO. 9—**

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALARIO, DEWITT, DORSEY, HAMMETT, LANCASTER, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT

**AN ACT**

To enact R.S. 42:1114.3 and to repeal R.S. 42:1114.1(B)(2), relative to disclosure; to require certain officials to disclose information to the Board of Ethics regarding certain contracts or subcontracts; to provide for the content of such disclosure; to provide for penalties; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT  
 House Bill No. 9 by Representative LaFleur**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 9 by Representative LaFleur, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1, 15, and 16 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on November 17, 2005, be adopted.
2. That Senate Committee Amendments Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on November 17, 2005, be rejected.
3. That Amendment No. 1 proposed by the Legislative Bureau and adopted by the Senate on November 18, 2005, be rejected.
4. That the Senate Floor Amendment proposed by Senator Dardenne and adopted by the Senate on November 21, 2005, be rejected.
5. That the set of Senate Floor Amendments proposed by Senator Cain and adopted by the Senate on November 21, 2005, be rejected.
6. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 3, after "certain officials" and before "to disclose" insert "and immediate family members of such officials"

AMENDMENT NO. 2

On page 1, line 4, after "content of" insert "and procedures for"

AMENDMENT NO. 3

On page 1, delete lines 10 and 11 and insert a comma " " and "appointed state official, and immediate family member of an elected official or appointed state official who derives, either directly or through a legal entity in which such official or immediate"

AMENDMENT NO. 4

On page 1, line 14, after "official or" and before "immediate" delete "his"

AMENDMENT NO. 5

On page 1, line 17, after "(1)(a)" delete "The" and insert "If an elected or appointed official, the"

AMENDMENT NO. 6

On page 2, delete lines 1 through 3 and insert the following:

"(b) If an immediate family member of an elected or appointed official, the name and address of such person; the name, address, and office of the elected or appointed official to whom the person is related; and the nature of the relationship."

AMENDMENT NO. 7

On page 2, line 12, delete "spouse" and insert "immediate family member"

AMENDMENT NO. 8

On page 2, line 14, delete "elected or appointed official" and insert "person"

AMENDMENT NO. 9

On page 2, delete line 20 and insert the following:

"C.(1) Each elected or appointed official and immediate family member subject to the provisions of this Section, except members of the legislature."

AMENDMENT NO. 10

On page 2, line 27, after "official or" and before "immediate" delete "his"

AMENDMENT NO. 11

On page 2, line 28, after "official" and before "shall" insert "or immediate family member"

AMENDMENT NO. 12

On page 3, between lines 2 and 3, insert the following:

"(2)(a) Each member of the legislature subject to the provisions of this Section shall file an initial disclosure statement with the clerical officer of the house to which he belongs no later than thirty days after the effective date of this Section or fifteen days after the legislator or legal entity enters into the contract or subcontract, whichever occurs later. The initial disclosure statement shall contain all of the information required by Subsection A of this Section, except that instead of the actual amount of income or value of any thing of economic value derived from the contract or subcontract by the legislator for the previous calendar year, the legislator shall include the amount of income or value of any thing of economic value to be derived or, if the actual amount is unknown at the time the statement is due, reasonably expected to be derived from the contract or subcontract for the first calendar year of the contract or subcontract.

(b) After filing the initial disclosure statement, the legislator shall file the disclosure statements required by this Section with the appropriate clerical officer no later than February fifteenth each year and shall include such information for the previous calendar year.

(c) Within fifteen days of receipt of any such disclosure statement, the clerical officer shall transmit a copy of such disclosure statement to the Board of Ethics and the disclosure statement shall be deemed to be filed with the board by the member as of the date of filing with the clerical officer.

(d) Once a legislator has filed an initial disclosure statement, the appropriate clerical officer shall notify such legislator that an annual disclosure statement is due until a final disclosure statement is filed in accordance with this Section."

AMENDMENT NO. 13

On page 3, line 3, after "D.(1)" delete "After" and insert "Except as otherwise provided for members of the legislature, after"

AMENDMENT NO. 14

On page 3, at the beginning of line 4, after "official" insert "or immediate family member"

AMENDMENT NO. 15

On page 3, line 7, after "official" and before "subject" insert "or immediate family member"

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AMENDMENT NO. 16

On page 3, line 10, after "disclosure" and before "or the" insert a comma ","

AMENDMENT NO. 17

On page 3, line 10, after "statements" and before "is no" insert "or to whom the immediate family member is related"

AMENDMENT NO. 18

On page 3, line 18, after "official" insert "or immediate family member"

Respectfully submitted,

Representative Eric LaFleur
Representative Charles D. Lancaster, Jr
Representative Donald J. Cazayoux
Senator Donald E. Hines
Seantor Ann Duplessis
Senator James David Cain

Rep. LaFleur moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gallot Morrish
Alario Geymann Odinet
Alexander Glover Pierre
Ansardi Gray Pinac
Arnold Greene Pitre
Baldone Guillory, E. Powell, M.
Barrow Guillory, M. Powell, T.
Baudoin Hammett Quezairé
Baylor Harris Ritchie
Beard Heaton Robideaux
Bowler Hebert Romero
Bruce Hill Scalise
Bruneau Honey Schneider
Burrell Hopkins Smiley
Carter, K. Hunter Smith, G.
Carter, R. Hutter Smith, J.D.—50th
Cazayoux Jackson Smith, J.H.—8th
Crane Jefferson Smith, J.R.—30th
Cravins Johns St. Germain
Crowe Katz Strain
Curtis Kenney Thompson
Damico Kleckley Toomy
Daniel LaBruzzo Townsend
Dartez LaFleur Trahan
DeWitt LaFonta Triche
Doerge Lambert Tucker
Dorsey Lancaster Waddell
Dove Marchand Walker
Downs Martiny Walsworth
Fannin McDonald White
Farrar McVea Winston
Fauchoux Montgomery Wooton
Frith Morrell Wright

Total - 99

NAYS

Badon Richmond
Total - 2

ABSENT

Burns Erdey
Durand Kennard
Total - 4

The Conference Committee Report was adopted.

HOUSE BILL NO. 42—

BY REPRESENTATIVES MONTGOMERY, ARNOLD, ALARIO, BALDONE, DARTEZ, DEWITT, DORSEY, FARRAR, FAUCHEUX, HAMMETT, HEATON, HILL, KENNEY, LABRUZZO, ODINET, SALTER, SCALISE, JANE SMITH, TOWNSEND, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property on a certain date from certain selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

Read by title.

CONFERENCE COMMITTEE REPORT
House Bill No. 42 by Representative Montgomery

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 42 by Representative Montgomery, recommend the following concerning the Reengrossed bill:

- 1. Reject the amendment proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 18, 2005.
2. Reject the Senate Floor amendment proposed by Senator Mount and adopted by the Senate on November 21, 2005.
3. Reject the Senate Floor amendment proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
4. Reject the set of eleven Senate Floor amendments proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
5. Reject the set of eleven Senate Floor amendments proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
6. Reject the set of two Senate Floor amendments proposed by Senator Shepherd and adopted by the Senate on November 21, 2005.

7. Amend reengrossed bill as follows:

AMENDMENT NO. 1

On page 2, line 1, after "to" and before "consumer" insert "the first two thousand five hundred dollars of the sales price or cost price of any"

AMENDMENT NO. 2

On page 2, line 2, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005." and delete the remainder of the line.

AMENDMENT NO. 3

On page 2, delete lines 3 through 6 in their entirety.

AMENDMENT NO. 4

On page 2, at the end of line 8, delete the comma "," and insert a period "." and "Consumer purchases shall not include the purchase of meals furnished for consumption on the premises where purchased, including to-go orders."

AMENDMENT NO. 5

On page 2, delete lines 9 through 11 in their entirety.

AMENDMENT NO. 6

On page 2, line 12, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 7

On page 2, line 20, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 8

On page 2, at the beginning of line 23, change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 9

On page 2, line 24, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 10

On page 2, line 28, change "11" to "18"

AMENDMENT NO. 11

On page 3, at the end of line 1 and the beginning of line 2, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 12

On page 3, line 3, after "December" change "11" to "18"

AMENDMENT NO. 13

On page 3, line 5, after "December" change "11" to "18"

AMENDMENT NO. 14

On page 3, line 6, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 15

On page 3, line 14, after "December" change "11" to "18"

AMENDMENT NO. 16

On page 3, between lines 19 and 20, insert the following:

"H.(1) Notwithstanding any other provision of law to the contrary, the sales tax levied by the state of Louisiana and its political subdivisions whose boundaries are coterminous with those of the state shall not apply to the first two thousand five hundred dollars of the sales price or cost price of any purchases of tangible personal property by businesses located in a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area that occur on December 16, 17, and 18, 2005.

(2) This Subsection shall only apply to purchases of tangible personal property that will replace property damaged, destroyed, or lost as a result of the conditions created by Hurricane Katrina or Hurricane Rita.

(3) No business shall be entitled to purchase tangible personal property under this Section without the payment of tax before applying for and receiving from the secretary of the Department of Revenue a Sales Tax Holiday Exemption Certificate.

(4) The secretary of the Department of Revenue shall issue Sales Tax Holiday Exemption Certificates to business applicants that meet all of the following criteria:

(a) The business is located in a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area.

(b) The business had property that was damaged, destroyed, or lost as a result of the conditions created by Hurricane Katrina or Rita."

Respectfully submitted,

Representative Billy Montgomery  
 Representative Bryant O. Hammett, Jr.  
 Representative Charmaine Marchand  
 Senator Willie Mount  
 Senator Edwin R. Murray

Rep. Montgomery moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Bead	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.-50th
Carter, R.	Jackson	Smith, J.H.-8th
Cazayoux	Jefferson	Smith, J.R.-30th
Crane	Johns	St. Germain

Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	
Total - 103		

NAYS

Total - 0

ABSENT

Burns	Durand
Total - 2	

The Conference Committee Report was adopted.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate  
APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 17: Senators B. Gautreaux, Hollis, and Dardenne.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate  
APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 17: Senators Adley *vice* Hollis.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 17: Senators Murray *vice* Dardenne.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 18: Senators B. Gautreaux, Hollis, and Dardenne.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 18: Senators Adley *vice* Hollis.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 18: Senators Murray *vice* Dardenne.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammitt)—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 148 by Representative Arnold**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 148 by Representative Arnold, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 16, 2005, be adopted.
2. That the Amendment proposed by the Legislative Bureau and adopted by the Senate on November 17, 2005, be adopted.
3. That the Senate Floor Amendment proposed by Senator Adley and adopted by the Senate on November 18, 2005, be adopted.
4. That the set of Senate Floor Amendments proposed by Senator Boasso and adopted by the Senate on November 18, 2005, be adopted.
5. That the set of Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on November 18, 2005, be adopted.
6. That the Senate Floor Amendment proposed by Senator Theunissen and adopted by the Senate on November 18, 2005, be rejected.

Respectfully submitted,

Representative Jeffery Arnold  
Representative Bryant O. Hammitt, Jr.  
Representative Mickey Frith  
Senator Robert Adley  
Senator Edwin R. Murray  
Senator Gerald J. Theunissen

Rep. Arnold moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walsworth
Downs	Marchand	White
Erdey	Martiny	Winston
Fannin	McDonald	Wooton
Farrar	McVea	Wright
Total - 99		

**NAYS**

Total - 0

**ABSENT**

Burns	Hammitt	Smith, J.H.—8th
Durand	Morrish	Walker
Total - 6		

The Conference Committee Report was adopted.

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide for applicability; to provide limitations and an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 17 by Representative Hutter**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 17 by Representative Hutter, recommend the following concerning the Reengrossed bill:

- 1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on November 17, 2005, be adopted.
2. That the Senate Floor Amendments proposed by Sen. Gautreaux and adopted by the Senate on November 21, 2005, be rejected.
3. That the Senate Floor Amendments proposed by Sen. Adley and adopted by the Senate on November 21, 2005, be rejected.

Respectfully submitted,

Representative Nita Hutter
Representative Pete Schneider
Representative Jim Tucker
Senator D. A. "Butch" Gautreaux
Senator Robert Adley
Senator Edwin R. Murray

Rep. Hutter moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Geymann Odinet
Alario Glover Pierre
Alexander Gray Pinac
Ansardi Greene Pitre
Arnold Guillory, E. Powell, M.
Badon Guillory, M. Powell, T.
Baldone Hammett Quezaire
Barrow Harris Richmond
Baudoin Heaton Ritchie
Baylor Hebert Robideaux
Beard Hill Romero
Bowler Honey Scalise
Bruce Hopkins Schneider
Bruneau Hunter Smiley
Carter, K. Hutter Smith, G.
Carter, R. Jackson Smith, J.D.-50th
Cazayoux Jefferson Smith, J.H.-8th
Crane Johns Smith, J.R.-30th
Cravins Katz St. Germain
Crowe Kennard Strain
Curtis Kenney Thompson
Damico Kleckley Toomy
Daniel LaBruzzo Townsend
Dartez LaFleur Trahan
DeWitt LaFonta Triche
Doerge Lambert Tucker
Dorsey Lancaster Waddell
Dove Marchand Walsworth
Downs Martiny White
Erdey McDonald Winston
Fannin McVea Wooton
Farrar Montgomery Wright
Fauchoux Morrell
Gallot Morrish

Total - 100

NAYS

Total - 0

ABSENT

Burns Durand Walker
Burrell Frith
Total - 5

The Conference Committee Report was adopted.

HOUSE BILL NO. 18-
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit while on such furlough or leave; to provide for payment therefor; to provide limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

CONFERENCE COMMITTEE REPORT
House Bill No. 18 by Representative Hutter

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 18 by Representative Hutter, recommend the following concerning the Reengrossed bill:

- 1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on November 17, 2005, be adopted.
2. That the Senate Floor Amendments proposed by Sen. Gautreaux and adopted by the Senate on November 21, 2005, be rejected.
3. That the Senate Floor Amendment proposed by Sen. Adley and adopted by the Senate on November 21, 2005, be rejected.

Respectfully submitted,

Representative Nita Hutter
Representative Pete Schneider
Representative Jim Tucker
Senator D. A. "Butch" Gautreaux
Senator Robert Adley
Senator Edwin R. Murray

Rep. Hutter moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gallot Odinet
Alario Geymann Pierre
Alexander Glover Pinac
Ansardi Gray Pitre
Arnold Greene Powell, M.
Badon Guillory, E. Powell, T.
Baldone Guillory, M. Quezaire

Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	

Total - 103

NAYS

Total - 0

ABSENT

Burns Durand

Total - 2

The Conference Committee Report was adopted.

**Suspension of the Rules**

On motion of Rep. Bowler, the rules were suspended in order to take up and consider House Concurrent Resolutions Returned from the Senate with Amendments at this time.

**House Concurrent Resolutions Returned from the Senate with Amendments**

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 43—**  
BY REPRESENTATIVE BOWLER  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact comprehensive natural disaster insurance legislation affecting financial capacity and loss prevention that will address, encourage, and support insurance company reserving for future catastrophes by making such reserves deductible for federal income tax purposes.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original House Concurrent Resolution No. 43 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 3, after "capacity" delete "and loss prevention"

AMENDMENT NO. 2

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 3

On page 3, line 5, after "capacity" delete "and loss prevention"

On motion of Rep. Bowler, the amendments proposed by the Senate were concurred in.

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the state and its political subdivisions to utilize Louisiana companies in their rebuilding, restoring, and renewing efforts matching skills with needs through the Hudson Initiative.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Original House Concurrent Resolution No. 56 by Representative Quezaire

AMENDMENT NO. 4

On page 1, after line 20, add the following:

"WHEREAS, the state must act in concert with its political subdivisions and place a premium on the creation of jobs for Louisiana workers and on the use of local vendors, suppliers, and contractors; and"

On motion of Rep. Quezaire, the amendments proposed by the Senate were concurred in.

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**Regular Calendar**

**Suspension of the Rules**

Rep. Crane moved for a suspension of the rules in order to take up and consider Senate Bill No. 70 on the same day it was reported by committee.

Rep. Richmond objected.

By a vote of 50 yeas and 49 nays, the motion not having received a two-thirds vote of the members present and voting, the House refused to suspend the rules.

**Suspension of the Rules**

On motion of Rep. Hebert, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**HOUSE RESOLUTION NO. 1—**  
BY REPRESENTATIVE HEBERT

**A RESOLUTION**

To amend and readopt House Rule 11.2 of the Rules of Order of the House of Representatives to provide that it shall be in order to consider only one committee or floor amendment with a fiscal cost of over one hundred thousand dollars to any appropriation bill at any one time.

Called from the calendar.

Read by title.

**Motion**

On motion of Rep. Hebert, the resolution was returned to the calendar.

**Senate Concurrent Resolutions on Third Reading for Final Consideration**

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 36—**

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU  
**A CONCURRENT RESOLUTION**

To create and provide with respect to the Joint Select Committee on Government Organization in the Metropolitan New Orleans Area.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lancaster to Original Senate Concurrent Resolution No. 36 by Senator Murray

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert "To request the House Committee on Judiciary and the Senate Committee on Judiciary A to meet and function as a joint committee to study issues related to government reorganization in the metropolitan New Orleans area."

AMENDMENT NO. 2

On page 2, line 12, after "of Louisiana" delete the remainder of the line and delete line 13 and insert "does hereby request the House Committee on Judiciary and the Senate Committee on Judiciary A to meet and function as a joint committee to study issues related to government reorganization in the metropolitan New Orleans area."

AMENDMENT NO. 3

On page 2, line 14, after "RESOLVED that" delete the remainder of the line and delete lines 15 through 18 and insert "the joint committee shall study such issues as the nature of the powers, duties, functions, and responsibilities of all governmental agencies in the metropolitan New Orleans area, whether executive, administrative, legislative, or judicial; how such powers, duties, functions, and responsibilities may"

AMENDMENT NO. 4

On page 2, line 25, after "respect to" delete "the"

AMENDMENT NO. 5

On page 2, line 28, after "RESOLVED that the" delete the remainder of the line and delete line 29 and insert "joint committee shall specifically solicit the input, recommendations, and advice of the following:"

AMENDMENT NO. 6

On page 3, delete lines 4 through 24 and insert the following:

"(3) The chairman of the House Committee on House and Governmental Affairs or his designee.

(4) The chairman of the Senate Committee on Senate and Governmental Affairs or his designee.

(5) One member of the Senate designated by the president.

(6) One member of the House of Representatives designated by the speaker."

AMENDMENT NO. 7

On page 3, delete lines 28 through 30 and insert the following:

"BE IT FURTHER RESOLVED that the joint committee may appoint subcommittees as it deems necessary to study specific issues to assist the joint committee in conducting its study."

AMENDMENT NO. 8

On page 4, line 3, after "requested by the" and before "committee" insert "joint"

On motion of Rep. Bruneau, the amendments were adopted.

On motion of Rep. Bruneau, the resolution, as amended, was concurred in.

**Introduction of Resolutions, House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 24—**

BY REPRESENTATIVES SALTER, WALKER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

**A RESOLUTION**

To commend the members and staff of the Texas House of Representatives for their incredible kindness to Louisiana following Hurricane Katrina and for the extremely generous donations they collected for Louisiana to donate to the

American Red Cross on behalf of Louisiana's victims of Hurricane Katrina.

Read by title.

On motion of Rep. Walker, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 25—**

BY REPRESENTATIVE FANNIN

**A RESOLUTION**

To commend Richard Lee Campbell and Mary Elaine Beach Campbell upon the celebration of their fiftieth wedding anniversary.

Read by title.

On motion of Rep. Fannin, and under a suspension of the rules, the resolution was adopted.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 5.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 9.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 17.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 18.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 40.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 41.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 42.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 148.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 156.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 18, 29, 30, 35, 36, 39, 40, 41, 42, 43, 44, 45, and 46

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Message from the Senate**

**SIGNED SENATE BILLS**

November 22, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 1, 3, 16, 44, 48, 55, 71, 89, and 107

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

**Privileged Report of the Committee on Enrollment**

November 22, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 15—**  
BY REPRESENTATIVE HEBERT  
A RESOLUTION

To urge and request the House Committee on Commerce to conduct a study of the awarding of Federal Emergency Management Agency contracts to out-of-state companies.

**HOUSE RESOLUTION NO. 19—**  
BY REPRESENTATIVE K. CARTER  
A RESOLUTION

To urge and request the Bring New Orleans Back Commission and the Louisiana Recovery Authority to meet jointly, or in any other manner as such groups may determine, to study how to restructure and organize the delivery of public elementary and secondary education services in Orleans Parish that will result in a world class public educational system and to make recommendations to the House Committee on Education and the Senate Committee on Education by not later than January 15, 2006.

**HOUSE RESOLUTION NO. 20—**  
BY REPRESENTATIVE DOWNS  
A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the need for and feasibility of including provisions in the minimum foundation program formula annually developed and adopted by the board and submitted to the legislature for its approval that would better enable the board and the state Department of Education, consistent with current authority and limitations, to implement and administer such a formula in the aftermath of a disaster for which the governor declares a state of emergency to exist, and to report in writing on study findings and recommendations to the House

Committee on Education and the House Committee on Appropriations by not later than the convening of the 2006 First Extraordinary Session of the Legislature of Louisiana or January 16, 2005, whichever date occurs first.

**HOUSE RESOLUTION NO. 21—**

BY REPRESENTATIVE MARCHAND

**A RESOLUTION**

To commend Louisiana's nonprofit organizations and their dedicated employees for their outstanding response to Hurricanes Katrina and Rita.

**HOUSE RESOLUTION NO. 22—**

BY REPRESENTATIVE MONTGOMERY

**A RESOLUTION**

To commend Terry Bradshaw for showing support for his home state of Louisiana by publicly expressing interest in putting together a group of investors to purchase the New Orleans Saints in the effort to keep the team in New Orleans.

**HOUSE RESOLUTION NO. 23—**

BY REPRESENTATIVES SALTER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Mr. Woodrow Burrell of Oak Grove and to recognize his singular contributions and achievements.

**HOUSE RESOLUTION NO. 24—**

BY REPRESENTATIVES SALTER, WALKER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

**A RESOLUTION**

To commend the members and staff of the Texas House of Representatives for their incredible kindness to Louisiana following Hurricane Katrina and for the extremely generous donations they collected for Louisiana to donate to the American Red Cross on behalf of Louisiana's victims of Hurricane Katrina.

**HOUSE RESOLUTION NO. 25—**

BY REPRESENTATIVE FANNIN

**A RESOLUTION**

To commend Richard Lee Campbell and Mary Elaine Beach Campbell upon the celebration of their fiftieth wedding anniversary.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

November 22, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 43—**

BY REPRESENTATIVES BOWLER AND KATZ

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to enact comprehensive natural disaster insurance legislation affecting financial capacity and loss prevention that will address, encourage, and support insurance company reserving for future catastrophes by making such reserves deductible for federal income tax purposes.

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVE SCALISE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 54—**

BY REPRESENTATIVE WALSWORTH

**A CONCURRENT RESOLUTION**

To urge and request local governing authorities to provide that the local sales and use tax shall not apply to certain consumer purchases on the same dates as the sales tax holiday established by state law in the First Extraordinary Session of 2005.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVES T. POWELL AND WOOTON

**A CONCURRENT RESOLUTION**

To commend the workers of the state's developmental centers, to recognize the difficulty of recruiting and retaining direct care workers in today's competitive labor market, and to urge and request the office for citizens with developmental disabilities (OCDD) of the Louisiana Department of Health and Hospitals and the Louisiana Department of State Civil Service (Civil Service) to work cooperatively and with Metropolitan Developmental Center and Hammond Developmental Center to recruit and retain such workers as doing so is in the best interest of the residents of such centers.

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To urge and request the state and its political subdivisions to utilize Louisiana companies in their rebuilding, restoring, and renewing efforts matching skills with needs through the Hudson Initiative.

**HOUSE CONCURRENT RESOLUTION NO. 57—**

BY REPRESENTATIVES JOHNS, FRITH, GEYMAN, E. GUILLORY, HILL, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

**A CONCURRENT RESOLUTION**

To commend Adam McBride, director of the Port of Lake Charles, upon the joyous and historic occasion of becoming an American citizen.

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general, state of Louisiana, the Honorable Charles C. Foti, to file suit seeking declaratory judgment that provisions of homeowners' insurance policies excluding coverage for damage sustained as a result of wind, hail, and hurricanes are null and void as against the public policy of the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 59—**  
BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general to file suit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVES FRITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the National Guard units from Louisiana and beyond who provided assistance in the rescue, recovery, and relief efforts in Cameron and Vermilion parishes for their valiant efforts during and following Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 61—**  
BY REPRESENTATIVE ROBIDEAUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development to act jointly to study the feasibility of the construction of a coastal protection highway stretching from the Texas border to New Orleans.

**HOUSE CONCURRENT RESOLUTION NO. 62—**  
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS  
A CONCURRENT RESOLUTION

To authorize and direct the Department of Labor to provide the Senate and House Committees on Labor and Industrial Relations with an itemized list of state and federal funds received in the wake of Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 63—**  
BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Lloyd R. Himel.

**HOUSE CONCURRENT RESOLUTION NO. 64—**  
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD  
A CONCURRENT RESOLUTION

To commend Isaac Greggs upon his retirement as the director of the Southern University marching band.

**HOUSE CONCURRENT RESOLUTION NO. 65—**  
BY REPRESENTATIVES RICHMOND AND DORSEY  
A CONCURRENT RESOLUTION

To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for homeowners affected by Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 67—**  
BY REPRESENTATIVE GEYMANN  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, in cooperation with the Department of Environmental Quality, to assemble federal, state, parish, and municipal officials to conduct a forum and demonstration on the safe and efficient use of wood waste debris created by Hurricanes Katrina and Rita in wetland restoration.

**HOUSE CONCURRENT RESOLUTION NO. 68—**  
BY REPRESENTATIVE HEBERT  
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to develop a system by which parish residents are given priority for housing in FEMA trailers located within their parish.

**HOUSE CONCURRENT RESOLUTION NO. 69—**  
BY REPRESENTATIVE JEFFERSON  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and Urban Development in the form of Community Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 70—**  
BY REPRESENTATIVE DORSEY  
A CONCURRENT RESOLUTION

To commend Ms. Diane Alexander for her bravery, courage, and determination and her role in the arrest and conviction of Derrick Todd Lee.

**HOUSE CONCURRENT RESOLUTION NO. 72—**

BY REPRESENTATIVES BAUDOIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to task the Government Accountability Office with a complete audit of expenditures by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 73—**

BY REPRESENTATIVES MARCHAND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MORRELL, PIERRE, QUEZAIRE, AND RICHMOND AND

SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

**A CONCURRENT RESOLUTION**

To commend the employees and management of the Sewerage and Water Board of New Orleans for their outstanding work during and following Hurricane Katrina.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

November 22, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

**HOUSE BILL NO. 4—**  
BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages, register of conveyances and office of notarial archives for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; and to provide for related matters.

**HOUSE BILL NO. 5—**  
BY REPRESENTATIVES WALKER, KATZ, AND PINAC

AN ACT

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

**HOUSE BILL NO. 8—**  
BY REPRESENTATIVES ODINET, BEARD, DANIEL, DARTEZ, FRITH, GEYMAN, ST. GERMAIN, AND WOOTON AND SENATOR N. GAUTREAUX

AN ACT

To provide for an extended period of time for renewal or extension of oyster leases expiring on January 1, 2006; to provide relative to terms of lease renewals or extensions; to provide for the 2006 due date for annual rent for oyster leases; and to provide for the 2006 dates for determination and advertisement of defaulted oyster leases; to suspend Section 501(G)(3) of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code relative to public auction of leases in default; and to provide for related matters.

**HOUSE BILL NO. 9—**  
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALARIO, DEWITT, DORSEY, HAMMETT, LANCASTER, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 42:1114.3, relative to disclosure; to require certain officials and immediate family members of such officials to disclose information to the Board of Ethics regarding certain

contracts or subcontracts; to provide for the content of and procedures for such disclosure; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 11—**

BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, FRITH, GEYMAN, GREENE, HUTTER, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 32:706.1 and to enact R.S. 32:702(14) and (15), 707(E), and 707.3, relative to vehicles sustaining water damage from a declared disaster; to provide for definitions; to provide for disclosure before transfer; to provide for certificates of destruction; to provide for restrictions on transfer and registration; to provide for dismantling or crushing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide for applicability; to provide limitations and an effective date; and to provide for related matters.

**HOUSE BILL NO. 18—**

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit while on such furlough or leave; to provide for payment therefor; to provide limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, PINAC, ARNOLD, BALDONE, BRUNEAU, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, MONTGOMERY, ODINET, ROBIDEAUX, SCALISE, SCHNEIDER, JANE SMITH, TOWNSEND, WHITE, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DANIEL, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, MOUNT, DARDENNE, NEVERS, AND QUINN

AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits and deductions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 39—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, LAMBERT, MONTGOMERY, SCALISE, JANE SMITH, TOWNSEND, ALARIO, ALEXANDER, ANSARDI, BADON, BARROW, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HOPKINS, HUTTER, JACKSON,

JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, MOUNT, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, N. GAUTREAU, HOLLIS, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or rented or repaired by manufacturers for use in the replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide for an effective date and expiration date for the Act; and to provide for related matters.

HOUSE BILL NO. 40—

BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD, CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, JANE SMITH, ALARIO, ALEXANDER, ANSARDI, BALDONE, BEARD, BOWLER, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CROWE, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, GALLOT, GEYMANN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HOPKINS, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MCDONALD, MCVEA, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 47:331(P)(2) and to enact R.S. 47:301(3)(j) and (13)(l), 302(T), 321(J), and 331(R), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 41—

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNSEND, TUCKER, ALARIO, ALEXANDER, ANSARDI, BEARD, BOWLER, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GEYMANN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, MOUNT, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPLESSIS, ELLINGTON, FIELDS, FONTENOT, N. GAUTREAU, HOLLIS, JACKSON, KOSTELKA, MALONE, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 42—

BY REPRESENTATIVES MONTGOMERY, ARNOLD, ALARIO, BALDONE, DARTEZ, DEWITT, DORSEY, FARRAR, FAUCHEUX, HAMMETT, HEATON, HILL, KENNEY, LABRUZZO, ODINET, SALTER, SCALISE, JANE SMITH, TOWNSEND, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, MOUNT, MARIONNEAUX, NEVERS, AND SCHEDLER

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property on a certain date from certain selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 44—

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 47:2106, relative to the deferment of ad valorem tax payments where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 46—

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND AND SENATOR NEVERS

AN ACT

To enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 63—

BY REPRESENTATIVES SCHNEIDER, ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GEYMANN, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HONEY, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 65—**

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, GALLOT, E. GUILLORY, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATORS FIELDS, MCPHERSON, AND MURRAY  
AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2005 and for tax year 2006 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; and to provide for related matters.

**HOUSE BILL NO. 73 (Duplicate of Senate Bill No. 66)—**

BY REPRESENTATIVE MARTINY AND SENATOR CHAISSON AND COAUTHORED BY REPRESENTATIVES LAFLEUR, TOWNSEND, CAZAYOUX, CRAVINS, GALLOT, HEATON, FAUCHEUX, AND GARY SMITH  
AN ACT

To enact Title XXXIII of the Code of Criminal Procedure, to be comprised of Code of Criminal Procedure Articles 941 through 956, relative to criminal procedure; to provide for emergency sessions of criminal court; to provide for definitions; to provide for applicability; to provide for criminal jurisdiction and venue in emergency sessions of court; to provide for venue for habeas corpus proceedings in certain circumstances; to provide for criteria for emergency sessions of court; to provide for the power and authority of the court conducting emergency sessions; to provide for legislative findings; to provide for powers, duties, and authority of the sheriff operating in emergency sessions of court; to provide for the powers, duties, and authority of the clerk of court of an affected court conducting emergency sessions; to provide for the authority of the district attorney and the indigent defender board of the affected court conducting emergency sessions of court; to provide with respect to the summoning of a criminal jury pool; to provide for the suspension of certain time periods, limitations, and delays in the affected court; to provide for exceptions; to provide for appeals and the application of supervisory writs from a judgment or ruling of an affected court conducting emergency sessions of court; to provide for preemption of conflicting provisions of law; to provide for the court costs, fees, and fines assessed or taxed and collected by the affected court conducting emergency sessions of court; and to provide for related matters.

**HOUSE BILL NO. 75—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 6:242(A)(18), relative to banking powers; to provide for investments to promote public welfare in low-income communities affected by Hurricanes Katrina and Rita; and to provide for related matters.

**HOUSE BILL NO. 81—**

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER  
AN ACT

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and the collection of taxes based upon such millage rates; and to provide for related matters.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES GALLOT, ANSARDI, AND THOMPSON AND SENATOR LENTINI  
AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make necessary repairs; to provide for the removal and disposal of

property; to provide relative to the protection, preservation, and storage of property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for termination of provisions; to provide for redesignation of provisions by the Louisiana State Law Institute; and to provide for related matters.

**HOUSE BILL NO. 90—**

BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATORS LENTINI, MARIONNEAUX, AND MURRAY  
AN ACT

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and peremptive periods and other legal deadlines; to provide relative to the extension of prescription and peremptive periods and other legal deadlines; to provide relative to the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for retroactive application; and to provide for related matters.

**HOUSE BILL NO. 97 (Duplicate of Senate Bill No. 30)—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 42:851(E)(1)(introductory paragraph) and (M)(1) and to enact R.S. 42:851(D)(4) and (M)(4), relative to Office of Group Benefits programs; to prohibit any reduction in the minimum state contribution for premium payments for certain employees affected by Hurricanes Katrina and Rita under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 101—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R. S. 47:6016(B)(4) and R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act and new market tax credits; to define low-income community to include areas affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 115 (Duplicate of Senate Bill No. 102)—**

BY REPRESENTATIVE BAYLOR AND SENATOR FIELDS  
AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act No. 864 of the 2003 Regular Session of the Legislature and R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

**HOUSE BILL NO. 120—**

BY REPRESENTATIVES SCHNEIDER, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CAZAYOUX, CRANE, CRAVINS, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUBBER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH,

JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WHITE, WOOTON, AND WRIGHT AND SENATOR SCHEDLER

AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 121—

BY REPRESENTATIVES CRANE, ALARIO, DEWITT, DORSEY, HAMMETT, SALTER, AND SCALISE AND SENATORS DUPLESSIS, HEITMEIER, HINES, MOUNT, CHAISSON, DARDENNE, QUINN, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), 3973(2)(b)(v)(cc), 3983(A)(1)(g), and 3997(A)(1)(c), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the recovery district to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to provide for the review of Type 5 charter proposals in compliance with certain standards; to provide prohibitions relative to the membership of the governing or management boards of certain recovery district charter schools; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to provide with regard to the authority of the governing authority of a Type 5 charter school to bargain and enter into a collectively bargained contract; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 140—

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammett)—

BY REPRESENTATIVE ARNOLD AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

HOUSE BILL NO. 156—

BY REPRESENTATIVES ALARIO, CROWE, DEWITT, DORSEY, GEYMANN, GREENE, HAMMETT, KATZ, LAMBERT, MARTINY, M. POWELL, SALTER, SCALISE, SMILEY, JANE SMITH, TUCKER, WADDELL, WALSWORTH, AND WHITE AND SENATORS ADLEY, AMEDEE, BARHAM, BOASSO, CAIN, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 160—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 49:1053(A), (C)(15) through (18), (D), (E), and (F) and 1054 and to enact R.S. 49:1053(C)(19) through (21), 1054.1, and 1055(D), relative to the Louisiana Geographic Information Systems Council; to provide for membership of the Louisiana Geographic Information Systems Council; to provide for the duties of the Louisiana Geographic Information Systems Council and its staff; to provide for the powers, functions, and duties of the Louisiana Geographic Information Center; to provide for the protection and confidentiality of certain information; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Privileged Report of the Committee on Enrollment

November 22, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 34—

BY REPRESENTATIVES ALARIO, HAMMETT, ODINET, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, AND TOWNSEND

A JOINT RESOLUTION

Proposing to add Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to the homestead exemption and special assessment level where the homestead has been

destroyed or is uninhabitable due to a disaster or emergency; to provide for claiming and keeping the homestead exemption and special assessment levels; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### **Motion**

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Governor that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Montgomery, Crane, Frith, Bruce, and Gray.

### **Motion**

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Senate that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Hutter, Richmond, Johns, Wooton, and Geymann.

### **Committee from the Senate**

A special committee from the Senate notified the House that the Senate has completed its labors and is prepared to adjourn *sine die*.

The Speaker thanked and dismissed the committee.

### **Reports of Special Committees**

The special committee appointed to notify the Governor that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The Speaker thanked and discharged the committees.

### **Adjournment**

On motion of Rep. Kenney, at 5:15 P.M., the House agreed to adjourn *sine die*.

The Speaker of the House declared the House adjourned *sine die*.

ALFRED W. SPEER  
Clerk of the House

